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MISCELLANEOUS NOTICES

RELATING TO

CHINA.

I. SKELTON, PRINTER, HAVANT.

MISCELLANEOUS NOTICES

RELATING TO

CHINA,

AND OUR

COMMERCIAL INTERCOURSE WITH THAT COUNTRY.

Part the Second.

BY

SIR GEORGE THOMAS STAUNTON, BART.

L.L.D. & F.R.S.

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ADVERTISEMENT.

Those of the Author's friends, whose kind partiality has induced them to place some confidence in his opinions on questions relating to China, and who may have honoured his published writings on that subject with their notice, will not be displeased, he trusts, to receive this *unpublished* volume to complete their collection.

Although a considerable portion of the contents have already appeared in print, it has been either without the Author's name, or in a less convenient form.

Devonshire Street, May 20, 1823.

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ESSAY

ON THE

LITERARY HABITS AND CHARACTER

OF THE

CHINESE.

The object of the following Essay is to collect together in one point of view, some facts connected with the manners and institutions of the Chinese, the due consideration of which may assist us in forming a just estimate of the national character of that singular people.

One of the most remarkable national peculiarities of the Chinese, is, undoubtedly, their extraordinary addiction to letters, the general prevalence of literary habits among the middling and higher orders, and the very honorable pre-eminence, which, from the most remote period, has been universally conceded throughout the Chinese empire to that class which is exclusively devoted to literary pursuits.

The most sceptical amongst us in Europe respecting the boasted antiquity of the Chinese, or, in other words, the most inclined to question the authenticity of the earlier portions of their annals, do not refuse to admit the genuiness of the works which are ascribed to the great Chinese lawgiver and moralist, Confucius. They are generally willing to concede the fact, of his having, about the sixth century before the Christian era, established that school of philosophy, and introduced or revived that system of ethics, which are universally taught and professed throughout the Chinese empire at this day. Yet, Confucius, unlike his cotemporaries the sages of Greece, presents himself to the world in his writings, not in the character of the founder of a new school, but merely in that of a restorer of the ancient doctrines. His perpetual theme is the wisdom and virtue of the *ancient* sages, and the great object of the discipline and the system of ethics which he inculcates, seems to be, to bring back the government and people to that state of virtue and happiness, which he assumes to have prevailed in the Chinese empire at that remotely ancient period to which he alludes. We have nothing analogous to this in the writings of any other people. The poets and the fabulists of other nations have, indeed, imagined, and vaguely described a golden age; but the

Chinese are the only people who have not only assumed the existence of such a period at the commencement of their annals, but have actually referred back to it with all the soberness and precision of historic truth. This appeal of Confucius to the wisdom and authority of those who, in his distant age, that is three and twenty centuries ago, were already venerated by the people at large as the sages of antiquity, seems alone sufficient, even if all corroborative testimony were wanting, to place the remotely early civilization of the Chinese beyond all dispute. It is quite impossible that such an appeal could have been addressed to any people then newly settled, or only recently emerged from barbarism: if it had not had some adequate foundation in truth, it would have been equally absurd and inefficacious.

Since the memorable era of Confucius, the Chinese empire has been repeatedly dismembered, and again restored to its integrity; its sceptre has passed through the hands of many families or dynasties; it has been a prey to many intestine divisions and revolutions, and it has been twice subdued by a foreign foe: but the reverence of the government and people for the name and institutions of Confucius has survived every change. Even the idol-worship of their Indian neighbours, which

was introduced into China about eighteen centuries ago, and which still, no doubt, extensively prevails throughout that empire, and has a strong hold on the superstitious fears of the people, in no manner interferes with, or abates their respect for the name and writings of their great native teacher. Though the doctrines of the sect of Foe have but too generally insinuated themselves into an unworthy association with those of Confucius, they have in no instance been able to supplant them: though the profession of these doctrines is tolerated by the government, and has sometimes been privately encouraged by the personal countenance of the sovereign, their authority has never been admitted by the state, and the priests of this sect, though recognised by the laws as a distinct order of the community, and maintained by the private charity of their votaries, do not enjoy any public favour or respect. They are distinguished from other men, rather by their disqualifications than by their privileges.

To this state of neglect and disrepute, the honours paid in China to the doctrines of Confucius afford a splendid contrast. Even now, under the sway of that comparatively illiterate and warlike race, which conquered the Chinese empire in the middle of the seventeenth century, and still holds

it in subjection, several individuals recognised as the actual heirs and representatives of the sage, are decorated with honorary distinctions, and maintained in a state of respectable independence at the public charge. Schools and colleges for the instruction of the people in his doctrines continue to flourish in every part of the empire; a competent acquaintance with his writings continues to be, with respect to all native born subjects of China, an indispensable qualification for civil office.

Under the influence of such institutions, it is by no means surprising that the proportion of the community exclusively devoted to letters, should be much greater in China than it is in any other country on the surface of the globe. It is so great as to constitute, of itself, a distinct class in the state. It is the first and the most honorable of the four classes into which the body of the people is considered to be divisible, according to the Chinese political system; namely, the literary, the agricultural, the manufacturing, and the mercantile.

Literary merit, ascertained at public examinations, and rewarded by honorary degrees, being, as already mentioned, the first indispensable qualification for any candidate for civil office, the

literary class necessarily comprises within its circle the whole body of the magistracy of the vast and elaborately organized system of their civil government. Among the unsuccessful candidates for office, the most meritorious obtain an honourable employment and subsistence in the superintendence of the private or public education of youth; and the remainder, though their literary pursuits may not have been productive to them of any specific advantage, are not wholly without reward. The very circumstance of having been a suitor for literary distinctions is sufficient to confer some degree of credit, both upon the individual and upon his family.

The advantages arising from so extensive a diffusion among the Chinese, of a familiar acquaintance with what may be called their Confucian, or classical literature, will more fully appear, when the nature of that moral system is considered, which it is the uniform tendency of all its pages to inculcate.

Du Halde informs us that "Toute la doctrine de "ce Philosophe tendoit à redonner à la Nature "humaine ce premiêr lustre, et cette première "beauté qu'elle avoit reçue du ciel, et qui avoit "été obscurcie par les ténébres de l'ignorance, et "par la contagion des vices. Il conseilloit, pour

" pouvoir y parvenir, d'obéir au Seigneur du ciel,
" de l'honorer et de le craindre, d'aimer son pro-
" chain comme soi-même, de vaincre ses penchans,
" de ne prendre jamais ses passions pour régle de
" sa conduite, de les soumettre à la raison, de
" l'écouter en toutes choses, de ne rien faire, de
" ne rien dire, de ne rien penser même qui lui
" fût contraire."

Du Halde, Vol. 2, p. 386.

In the same spirit is the statement or summary of the Chinese moral system, which the Emperor of China in 1713 directs to be given by his embassadors to the Russian government.

" If you are asked what we principally esteem
" and reverence in China, you may thus reply:
" In our empire, fidelity, filial piety, charity, jus-
" tice, and sincerity, are esteemed above all things.
" We revere and abide by them: they are the
" principles upon which we administer the empire
" as well as govern ourselves. We likewise make
" sacrifices and oblations; we pray for good
" things, and we deprecate evil things; but if we
" did not act honestly, if we were not faithful,
" pious, charitable, just, and sincere, of what avail
" would be our prayers and sacrifices!"

Chinese Embassy to the Tourgouths, p. 13.

If these views of the faith and practice incul-

cated in the works which are destined to form the minds of the Chinese youth, as well as to become the subject of their investigation and study in after life, are substantially correct, and there is no reason to believe that they are not so, it must be confessed that the classical literature of Greece and Rome, which occupies in our own schools the corresponding place, teach nothing that is superior; and, perhaps, much that is not only inferior, but partaking not a little of the nature of evil. We have, indeed, as Christians, the opportunity of deriving our moral and religious instruction from much higher and purer sources, than the writings of any heathen moralists, whether Greek, Roman, or Chinese. But it cannot be denied, that the moral tendency of the *heathen* writings, which form the basis of our literary education in the schools of Britain, is inferior to that of those of China. The Chinese student not being secured from error by the light of revealed religion, can only derive his moral principles from his school learning. He is certainly therefore fortunate in the possession of a body of ancient native literature, which, while it cultivates his taste and improves his understanding, contains nothing to inflame his passions or to corrupt his heart. The Chinese are not compelled, as we are, upon the authority of great names, and for the sake of the graces

of style and language, to place in the hands of youth, works containing passages which put modesty to the blush—works, in which the most admirable maxims of morality, are mixed and confounded together in the same page, with avowals and descriptions of the most disgusting licentiousness. The Chinese press is certainly by no means free from the charge of grossness and indelicacy; but the higher class, at least, of Chinese literature, that which usually forms the library of the youthful student, is in this respect wholly unexceptionable.

The universal veneration of the Chinese for the memory of Confucius is, of itself, no small homage to the excellency of his doctrines. It is strikingly manifested by the special dedication of temples to his honour in all the chief cities of the empire. These temples are distinguished from those dedicated to the idolatrous worship of Foe, by the dignified simplicity of their decorations, by the careful exclusion of all images from their principal halls, and the substitution in their places, of commemorative tablets, bearing the names of Confucius and his successors, and of their respective most distinguished disciples. In the lateral galleries of these temples a number of smaller tablets are generally displayed, on which are carefully

recorded the names and virtues of such of the deceased inhabitants of the district as were deemed to deserve, either on account of their private worth or their public services, this posthumous distinction.

This practice of enrolling the names of deceased worthies on the records of the temples of Confucius, is, undoubtedly, well calculated to produce a beneficial influence on the minds of the survivors. The honour is sought for by the most respectable families, in favour of their deceased relatives, with great avidity; and, judging from a remarkable case which occurred recently, within the knowledge of Europeans who visit Canton, would seem to be generally conferred with justice and impartiality. A merchant of that city, who had also held an office of some rank at Pekin, had aspired to the honour of placing in the temple the tablet of his deceased father, a man of unquestionable, though not adequate merit. Through the influence of his wealth and personal connexions the object was for a time attained, but the indignation of those whose ancestors had obtained similar honour on juster grounds, soon produced an appeal against the emperor's decision, which induced His Majesty to revise it, and finally to order the improperly introduced tablet to be ejected in disgrace from the temple.

The literary habits of the Chinese may be further traced in various minute particulars of their private and social life, which, trifling in themselves, are, when taken collectively, important indications of national character, and curiously contrast with the rude habits and contemptuous indifference to letters, which characterise even the governing portion of mankind in most other states of Asia. Every thing that is subservient to, or connected with literary objects in China, is carried to a degree of refinement, and blended with all their ordinary concerns of pleasure and of business, in a way that may seem extravagant and puerile: but such an attachment to the forms and instruments by which knowledge is conveyed, could hardly exist altogether independently of a regard for their object. While the former are constantly before the eyes of the people, and frequently in their thoughts, the latter cannot fail in some degree to enlighten their understanding and influence their conduct.

In every well furnished apartment in China, the chief decorations consist of sentences which have been extracted from the works of their best poets and philosophers, or recently composed in the same style and spirit by living authors, written in very large characters, and rendered attractive to the eye, by the most showy embellishments, and the

most curious and ingenious varieties of pencilling. Their inkstands, pencils, and other implements of writing, are ornamented in a similar manner. Their very shops and warehouses are decorated with inscriptions, in which the goods sold or in store are described in choice and sometimes epigrammatic language, by the aid of professed scholars, who are always consulted on such occasions, and derive a regular emolument from the performance of such services. The almost infinite variety of forms which the Chinese symbolical character is capable of receiving, is certainly favourable to the beauty, and it may almost be said, picturesque effect of such inscriptions. These characters being likewise the direct representations, and sometimes the express images of the things signified, instead of being simple indications of the sounds uttered, as in the more convenient but circuitous method of alphabetic writing, they certainly speak to the eye with a directness and vividness of impression of which the latter mode of writing is incapable.

I cannot close these remarks in a more appropriate manner than with the following quotation from the "View of China", by the Rev. Dr. Morrison, a gentleman, whose long residence in that country, and familiar acquaintance with the language, render him probably the highest living authority, and

who certainly cannot be charged with being generally a panegyrist of the national character or institutions of the Chinese.

"The Chinese are fond of appealing to reason. "They have their men of a high spirited sense of "right, and who manifest a bold adherence to it; "but still such characters are at great pains to "shew that reason is on their side. Even the "government is at the utmost pains to make it "appear to the people, that its conduct is reason- "able and benevolent on all occasions. They "have found by the experience of many ages that "it is necessary.

"There are certainly not many things in "which the Chinese are worthy of imitation: "there is, however, one benevolent cause "which a Chinese would never think of opposing, "but which has yet to struggle with much unrea- "sonable opposition in modern Europe: viz. that "of making education as general as possible, and "giving to moral science a decided preference to "physical science in the education of youth; to "honour virtue more than talent."

View of China, p. 124.

PREFACE TO THE TRANSLATION

OF THE

CHINESE PENAL CODE.

In undertaking the work which is now submitted to the eye of the Public, the Translator was not unconscious of the difficulties and disadvantages he would have to contend with in so novel an attempt. He was however encouraged to proceed by the persuasion that the work was in itself amply deserving of the labour which it might be necessary to bestow upon it; that the intrinsic value, the unquestionable authenticity of the materials, and the general importance and curiosity of the subject, would fully compensate those particular defects and imperfections which, in an undertaking of this nature, were foreseen to be unavoidable, and, upon the whole, make amends for the too concise and almost obscure brevity of the text, in some places, its tedious and uninstructive prolixity in others, and its general unsuitableness for translation into an English idiom.

Under all circumstances he flattered himself, that a faithful version of the Fundamental Laws of the Penal Code of China might, with the addition of

some supplementary matter, not only prove interesting as far as regards its immediate subject, but likewise afford a more compendious and satisfactory illustration, than any other Chinese work that could have been selected, of the peculiar system and constitution of the Government, the principles of its internal policy, its connection with the national habits and character, and its influence upon the general state and condition of the people in that country.

To account for the limited and defective nature of our information upon these interesting subjects, notwithstanding the number and variety of the literary communications concerning the Chinese empire, which we already possess in Europe, through the medium of the European languages, it will be requisite to advert particularly to the circumstances under which these communications have been made, and to the sources from which they have, for the most part, been derived.

It will not be necessary, in the course of this inquiry, to trace back the subject to any very remote period. It is well known that the Empire of China, bounded on one side by the ocean, and on the other by ranges of inaccessible mountains, or vast and seemingly impervious desarts, continued,

until about the commencement of the 13th century of our era, to be effectually secluded by these natural barriers from any direct and regular intercourse with the rest of the inhabited globe. The various inquisitive and enlightened nations, which successively flourished in ancient times, both in Western Asia and in Europe, scarcely appear to have even suspected its existence.

In the meanwhile, however, the people who, at a remote period of antiquity, first colonized this fertile and extensive region, were gradually emerging from primeval barbarism. Without either receiving assistance, or encountering opposition, from their less fortunate neighbours, they slowly but regularly advanced upon the strength of their internal resources and local advantages, nearly, if not entirely, to their present state of civilization and improvement.

The commencement of the 13th century is the period at which the Chinese first submitted in a body to the sway of a foreign conqueror; and although the dynasty, established by the successful invaders, was not of any long duration, it must have had a material, and even in some degree a permanent effect, upon the relations between China and contemporary Powers; more especially, as

this revolution in the East was, it will be perceived, at no considerable interval of time, seconded in the West, by the fortunate era of the restoration of letters, and of the introduction of the most important of the improvements in navigation in modern Europe.

As a new spirit of curiosity and enterprize had been thus excited, and means apparently adequate to its complete gratification discovered, it might naturally be supposed that one of the first objects would have been, that of taking advantage of the additional facilities which seemed to have been afforded for a communication with the Chinese empire; that the early accounts, however vague and imperfect, which had been given by casual travellers, of its extent, magnificence, and political importance, would have soon led, in the ordinary course of events, to an intimate acquaintance and a regularly established intercourse with that remote and recently discovered, but, at the same time, highly interesting portion of the civilized world.

At the end, however, of several centuries, these expectations are still but very imperfectly realized. This great Empire, too well assured of the competency of its own natural and artificial resources, to be induced to seek, and, if not too powerful, at

least too distant and compactly united, to be liable to be compelled to enter into alliances and close connections with the Powers of Europe, has never as yet, except in a precarious and limited degree, admitted of any species of intercourse with them. It continues to this day wholly regardless and independent of those nations of the West, whose general superiority in policy and in arms has triumphantly extended their power and influence over almost every other existing society of mankind.

A considerable portion of the intercourse which actually subsists between China and the Nations of Europe owes its orgin, as is well known, to the influence of religious motives; and was established under rather favourable auspices, by the indefatigable zeal and appropriate talents of the early missionaries of the Catholic church. These ecclesiastics, having been for the most part of the Society of Jesus, were not wanting in the sagacity, or neglectful of the policy, which had, on so many other occasions, crowned the projects of their order with success. It is difficult indeed to say how far, under such circumstances, even the most ancient of the institutions, upon which the fabric of the Chinese government is founded, or the most deeply rooted of the prejudices and

attachments, by which it continues to be sustained, could have withstood their powerful and undermining influence, had they not happened to have lost the support and countenance both of the head of the Catholic church, and of their respective temporal sovereigns.

The consequent extinction of that order having subverted the system of politics, which until then the Missionaries in China had successfully observed; having caused the adoption of a plan of conversion more strict, and probably more orthodox, but, in the same proportion, more unaccommodating to the prejudices of the people, and more alarming to the jealousy of the government; and having also, generally speaking, thrown the profession into less able hands, the cause of Christianity and of Europe, necessarily lost much of its temporary lustre and influence. In addition to this unfavourable change of circumstances, the French Revolution has subsequently had the effect of considerably reducing both the amount of the funds which support, and the number of the labourers who cultivate the Christian vineyard in China; under which accumulated disadvantages the intercourse with Europeans, as far as the Missionaries are concerned, it will easily be conceived, must of late years, in spite of every exertion, have been gradually on the decline.

Although, among the few Missionaries whom the Emperor of China still retains in his service at Pekin, and among the larger number who are clandestinely employed in maintaining and propagating the Christian faith in the provinces, there are, no doubt, many amiable and respectable, and perhaps even some learned men, they can scarcely be expected to make any material addition, under their present difficulties, to the stock of useful and valuable information which Europe has already derived from the same quarter.

The literary labours of the Missionaries, consisting of original descriptions and of translations, are, however, already numerous and extensive. Their works seem, at first sight, to have been penned with such diligence, and formed upon plans so comprehensive, as to promise satisfaction on every subject connected with the Chinese empire, in which European curiosity can be interested. But, on a closer examination, we find reason to lament that their attention had not been more directed to the objects that were principally desirable, and we begin to suspect that their situation, or some other circumstances, must have had a tendency to disqualify them from representing those objects with all the accuracy and fidelity

of disinterested and impartial observers. At the same time, it is impossible to conceive any set of persons more advantageously placed for the purpose of collecting and communicating the information that was most required. Having devoted themselves to a residence for life among the people of that empire, it was naturally one of their first objects to acquire a knowledge of their manners, habits, and language. The active duties of their profession necessarily led them to cultivate the favour of the rich, to conciliate the affections of the poor, and to associate generally with every class of the inhabitants. As they appeared exclusively in the character either of artists or of men of science, they were in no danger of becoming objects of jealousy to any rank, or to any party; they had generally a free communication with every department of the court and of the government, and at times were admitted to a familiar intercourse even with the sovereign himself.

It is, however, to be recollected on the other hand, that, with the Missionaries, science and literature were objects only of a secondary consideration, infinitely inferior in their estimation to that sacred cause in which they were united, which they were bound to support, and to which all others were to be made subservient; that they

were persons who had all of them professedly renounced the world, and who, having abstracted themselves accordingly from its various pursuits, had been in great measure incapacitated from acquiring that particular experience which is necessary towards appreciating the merits and characteristic features of other countries, by the most obvious and indispensable of tests, a comparison with their own. It was also inevitable, that persons thus situated should be, generally speaking, under the influence of a strong pre-disposition in favour of a people, for the sake of whose conversion they had renounced their country, and devoted their lives; and of a government, from whom, at one period, they had received extraordinary kindness and indulgence, and upon the continuance of whose protection the success of their future undertakings was foreseen almost entirely to depend.

Although having, personally, access to all the principal objects of curiosity, and chief sources of information, and possessing sufficiently the requisite talents of description, we too often find that a want of substantial impartiality and discriminating judgment in their writings, has tended to throw a false colouring on many of the objects which they delineate, and has sometimes produced

those inconsistencies by which errors and misrepresentations of this description are often found to contribute to their own detection.

In like manner, although their intimate knowledge of the language of China enabled the Missionaries to explore and illustrate the antiquities of the empire, by the perusal and translation of the obscure and disputed texts of its most ancient poets, historians, and philosophers, an extreme anxiety to place those productions in the most favourable and pleasing light, has led them, in some instances, to engraft so much of the European character and style upon the Chinese originals, that the authenticity of their versions has, however unjustly, been in such cases more than suspected.

Other works again, such as the Chinese press abundantly affords, concerning the present state of the empire, its civil, political, and legal institutions, they have, it must be acknowledged, in great measure neglected, either as comparatively unimportant in their estimation, or as insufficient and ill-suited for conveying those highly favourable ideas, with which they seem themselves to have been impressed, of the character of the Chinese people, and the principles of the Chinese government.

By the foregoing observations, it is by no means intended to detract from the real merits of the learned and pious writers of this class; either by denying, that they have afforded to the European world a vast collection of useful and interesting information, or by asserting, that they have, in any particular instances, been guilty of wilful deception or misrepresentation. It is merely wished to point out some of the causes which render it unsafe to rely implicitly on their authority, to state the particular bias under which they wrote, and to notice some of the effects of which that bias was necessarily productive.

The communications between European states and the dominions of China, which a spirit of commercial enterprize gave rise to, although they have been, at times, of considerable importance to several of the Continental nations, and are at present, with respect to Great Britain, of such a nature and extent, as to be very essentially contributive to her national prosperity, yet they did not, until a very late period, produce any fruits deserving of particular notice, either to science or literature.

With the exception of the Travels of Mr. Bell of Antermony, and the Translation of a Chinese Novel, by an obscure hand, but illustrated by the

name of its Editor, scarcely any thing of importance respecting China, derived from a commercial origin, appeared in England, until the period of the Embassy of the late Earl of Macartney. His Lordship's mission was certainly an important step towards obtaining a more accurate and intimate knowledge of the Chinese empire. That empire was, on that occasion, in some degree laid open to the view of persons, whose talents and judgment were worthy of their country, and of an enlightened age; and who, it was natural to expect, would be disposed to describe the country and its inhabitants, as they really found them, and to state the opinions they might be led to form on the different objects which occurred, with candour and sincerity.—If, in estimating the credit due to their impartiality, some allowance for the national prejudices of Englishmen should be deemed requisite, the tendency of those prejudices would, at all events, be very dissimilar to that of the bias which had influenced their predecessors in the same field of inquiry. When also it is considered that, in passing rapidly over the narrow path to which they were confined, the opportunities of observation must have been comparatively few and limited, it will justly be deemed a subject of pride and satisfaction, and a very material addition to the immediate advantages which that expedition

produced to this country, that it has, in so short a time, and under such unfavourable circumstances, been the means of throwing an entire new light upon, and of correcting and extending our ideas of that extraordinary and interesting empire; that, in short, if it has not led to the discovery of a new world, it has, as it were, enabled us to recover a portion of the old, by removing, in a considerable degree, those obstacles by which our contemplation of it had been intercepted.

The short residence in China of Lord Macartney's Embassy, although it scarcely afforded any opportunity of either confirming or disproving the various geographical, historical, and statistical details, with which we had been furnished by the Missionaries, was amply sufficient to discover that the superiority over other nations, in point of knowledge and of virtue, which the Chinese have long been accustomed to assume to themselves, and which some of their European historians have too readily granted them, was in great measure fallacious; their knowledge was perceived to be defective in those points in which we have, in Europe, recently made the greatest progress, and to which we are therefore proportionately partial. Their virtues were found to consist more in ceremonial observances, than in

moral duties—more in profession, than in practice; and their vices, when traced and discovered upon occasions where they were the least expected, seemed to deserve a more than ordinary degree of reprobation.

The first impressions occasioned by a discovery, that the Chinese people and government were in many respects the converse of that which, agreeably to the most authentic accounts, they might have been expected to be found, were naturally unfavourable.

But if the English visitors at the court of Pekin had been permitted to remain any considerable time, and with a sufficient degree of freedom, in the interior of the empire, they might gradually have acquired a more direct and extensive knowledge of the governors and of the governed in China; they might, by constant and familiar intercourse with the several classes of the inhabitants, have learned more of their manners, habits, and ordinary conduct, and have been enabled to judge of, and to characterize, their influencing motives on different occasions, upon surer grounds.

If they had possessed equal opportunities with the missionaries, who preceded them, of exerting their

judgment upon the Chinese character, though they certainly would not have coincided in all their sentiments and opinions, they might, perhaps, have found something to compensate the evils they had justly reprobated and lamented, and they might even have at last determined, that a considerable proportion of the opinions most generally entertained by Chinese and Europeans of each other was to be imputed either to prejudice, or to misinformation; and that, upon the whole, it was not allowable to arrogate, on either side, any violent degree of moral or physical superiority.

In regard to the diffusion of knowledge among the natives, they might not indeed meet with such illustrious instances as those of a Newton, a Locke, or a Bacon; nor even, perhaps, find, generally, any tolerable proficiency in the sciences, which in Europe the writings of those great men have contributed so much to advance and to establish; but, nevertheless, such a sufficiency, in all ranks and conditions, of the information essential or most useful to each; such a competency and suitableness of the means to the end, as might, upon a general view of the whole population, fairly entitle the Chinese to be put in competition with some, at least, of the nations of Europe, in respect to all the essential characteristics of civilization.

The virtues of the Chinese, although very inferior, no doubt, to their professions, and of a lower order than those which Christianity has happily implanted, or invigorated, in the European world, they might also have found as little alloyed, either with the sanguinary or the selfish vices, as among any people for whose guidance the salutary light of revelation has not yet penetrated.

Even the crime of infanticide, for instance, which has been considered such an indelible stain upon the Chinese character, might be found to admit of some extenuation, if it was discovered to be rarely, if ever, practised, except in the anguish of hopeless poverty, or in cases of such unhappy and defective formation, as might be conceived to render life a painful burden. The criminality of the Chinese, in this respect, might also be safely contrasted with the legalized cruelty and unnatural indifference of Roman fathers under similar circumstances. Passing from the people to the government, the obvious and undeniable defects of the latter might justly be compared with the acknowledged corruptions and imperfections of those of Europe; and it might, perhaps, be found, upon a general view, that the happiness of the people was not more frequently neglected or interrupted, upon the one system than upon the other.

There would still, no doubt, remain, both in the habits of the people, and the principles of the government, some exceptionable traits, which are happily not to be exactly paralleled in Europe; but, on the other hand, some very considerable and positive moral and political advantages might be found peculiar to the Chinese; attributable to the system of early and universal marriage, except, indeed, as far as that system may be considered to conduce to the misfortune of a redundant population; to the sacred regard that is habitually paid to the ties of kindred; to the sobriety, industry, and even intelligence of the lower classes; to the almost total absence of feudal rights and privileges; to the equal distribution of landed property; to the natural incapacity and indisposition of the government and people to an indulgence in ambitious projects and foreign conquests; and lastly, to a system of penal laws, if not the most just and equitable, at least the most comprehensive, uniform, and suited to the genius of the people for whom it is designed, perhaps of any that ever existed.

The foregoing conjectures respecting the degree of estimation in which the Chinese government and people will be held by the other civilized nations of the world, when the veil is more com-

pletely withdrawn, which has hitherto intercepted their view, and baulked their curiosity, although they neither have been nor can be verified, under present circumstances, by adequate personal inquiry, yet their reasonableness and probability may even now be investigated with advantage, and and tried upon almost every point, by the interesting evidence which the Chinese, in their own numerous and respectable literary productions, have themselves afforded.

After making every allowance for national partialities, prejudices, and defects, whatever they may be, it will generally be found, that the best and most authentic information of the state of any country, having pretensions to civilization, is contained in the works of the natives, and in the vernacular language.

Although the character of the Chinese government, in common with that of those of all other Asiatic nations, necessarily prevents the press from becoming, in any considerable degree, a vehicle for the investigation of political questions, or for the introduction of innovations of any kind, yet there are no previous licences demanded, or restrictive regulations enforced ; nor in the case of publications upon ordinary subjects, any checks

whatever imposed upon their number or variety. On the contrary, the encouragement given to pursuits which are purely literary, has always been considered as one of the remarkable features of Chinese policy. These pursuits are professedly the sole channel of introduction to political advancement in the state, to offices, rank, and honours of almost every description. With the prospect of such rewards, the number of competitors in the paths of literature must necessarily be infinite; and, in point of fact, the first rudiments, at least, of literary knowledge, are almost universally diffused among the natives of every class and denomination. Through the concurrence of these causes the productions of the press in China not only open a wide field of investigation to the literary and philosophical inquirer, but are, in a much greater degree than could otherwise have been expected, calculated to supply that species of information which the present system of our intercourse with the Chinese, affords so little prospect of obtaining by personal communication.

It is not, indeed, to be expected, that an acquaintance with Chinese literature, however intimate, can materially add to our present stock of theoretical knowledge upon natural and philosophical subjects; and in respect to the Ethics and

Antiquities of the Chinese, it may, perhaps, be considered that the translations already effected by the Missionaries afford a sufficient specimen: but there are many other objects of research, which surely are neither uninteresting nor unimportant. As men of science, we have yet much to learn respecting the arts, which, with the advantage of long and uninterrupted experience, and a proportionate degree of practical skill, are successfully cultivated by an eminently industrious and ingenious people. As men of letters, we have yet to comprise, within the circle of our philology, the various branches of a new species of Belles Lettres, contained in a highly refined and most singular language: we have, lastly, as statesmen and philosophers, to examine more closely, and to dive more deeply into the principles, operation, and consequences, of the civil policy, characteristic laws, and general system of a government and constitution, not indeed the best or the purest, but certainly the most anciently, and, if we may judge from its duration, the most firmly established, and the most conformable to the genius and character of the people, of any of which mankind has had experience.

The great, and indeed almost the only obstacle, which exists to inquiries of this nature, is the

circumstance of the literature of China being buried in a language by far the least accessible to a foreign student of any that was ever invented by man. Among the languages of Europe, several agree to a considerable extent, even in their phraseology, and all are connected by various analogies. The languages of the Asiatic nations are indeed radically different from those of Europe, and their study is, to Europeans, proportionately difficult; but in one point, at least, all the written languages of the world coincide, that of the Chinese only excepted.—In all, ideas are expressed by a combination of letters, representing, not the ideas themselves, but certain particular sounds with which these ideas, either by accident or convention, have become identified. It is exclusively in the Chinese language, that the seemingly visionary scheme of a philosophical character, immediately expressive, according to an established and received classification, of the ideas as they arise in the mind, under an entire disregard of the sounds employed to give them utterance, has ever been generally adopted as the universal medium of communication; a plan of which it may justly be said, that the practice is no less inconvenient and perplexing, than the theory is beautiful and ingenious.

Experience has nevertheless in various instances proved, that these difficulties, however great, are by no means insurmountable, even by ordinary zeal and application. It is also to be considered, that they would be more seriously felt by those, by whom the first steps should be taken towards introducing and recommending the knowledge of the Chinese language in this country, than by those who might afterwards follow in the same path of literature. The modes of acting and thinking peculiar to a people who have scarcely ever been placed in circumstances tending in any respect towards an assimilation with the rest of mankind, especially when conveyed in a language whose style and idioms are frequently as little conformable to our received notions of propriety, as they are reconcileable to our ordinary rules and distinctions of grammar, cannot indeed be expected to prove in any form of translation altogether agreeable to the taste of European readers. It seems requisite that the students in this branch of oriental literature should become numerous, that its peculiarities should be traced and explained by a more correct knowledge of the people themselves, and that the minds of the readers should be somewhat habituated to them, as they already are in a considerable degree, to the peculiarities in the style and idioms of other Eastern languages. Yet,

even in the present state of our knowledge of the Chinese people, and of our political relations with the Chinese empire, it is not unreasonable to hope, that communications derived from authentic sources in the original language, may have some effect in drawing attention to, and exciting an interest in, the hitherto neglected literature of that country ;— it is necessary indeed, that the work selected should, in one esssential point at least, be unexceptionable, however defective in others ; that its translation should combine as many advantages, and as few objections as possible, and in particular, that the excellence of the matter, should render the manner in which it was conveyed a consideration of comparatively little importance.

Among the multifarious publications of the Chinese, ancient as well as modern, which are still extant, and hitherto untranslated into any European language, the TA-TSING-LEU-LEE, or Imperial Code of Penal Laws, certainly ranks with those of the first class, in respect to the importance of the subject of which it treats, and the preeminence of the authority by which it was originally established, as well as, at different periods down to the present time, successively sanctioned and confirmed. As in this work also, the two very desirable qualities of a comparatively

simple style, and a compendious form, happen fortunately to be united, its contents are certainly, in many respects, less difficult of access than those of most other publications of a similar extent in the Chinese language and character.

It has justly been observed by Mr. Gibbon, that "the laws of a nation form the most instructive portion of its history." But the laws of the Chinese, if taken in the most comprehensive sense of the term, framed, as they have been, by the wisdom and experience of a long series of ages, and suitably provided, as they are, for the government of an empire, unparalleled in the history of the world in extent and population, must, it will readily be imagined, be proportionally numerous and complicated. They are also, which is still more embarrassing, generally intermingled in such a degree with details concerning the ancient history and actual condition of the civil, political, and ceremonial institutions of the empire, that individual works on these subjects are sometimes extended to the extraordinary length of upwards of an hundred volumes, and the aggregate is, of course, enormous in proportion.

From such a vast and heterogeneous mass of materials, to attempt any thing like a compendious

illustration of the true spirit and character of their legal institutions, would be a very presumptuous, if not absolutely a hopeless undertaking. The Ta-Tsing-Leu-Lee, however, happily renders, in this respect, any such laborious and indefinite research unnecessary, as, in fact, no selection could be made, however judiciously, that would not be superseded by the authority, as far as it extends, of the authenticated compendium.

The Chinese government, according to one of the fundamental principles of its constitution, is, it is to be observed, divided into several distinct, though not altogether independent, branches or departments. The civil and military establishments, the public revenue and expenditure, the national rites and ceremonies, the public works, and the administration of public justice, are each of them regulated by a particular code of laws and institutions ; but the laws of the empire, in the strictest and most appropriate sense of the term, and which may be denominated Penal Laws, by way of contradistinction, are the peculiar and exclusive province of the last of these departments. All regulations which are either directly penal, by the denunciation of punishment in the event of disobedience, or indirectly, by their coercive operation, have evidently a distinct character, though

necessarily connected, more or less, with every branch of that constitution which is upheld and protected by their sanction.

Accordingly, the TA-TSING-LEU-LEE, although originating with one, treats indirectly and incidentally of all the branches of the Chinese constitution; and the information it thus imparts, upon a comparatively reduced scale, of the administration of the civil and military affairs of the empire, of the public revenue and public works, and of the ceremonial institutions and observances, though not altogether so clear or so comprehensive, as it might have been in a work having these for its professed objects, will not, probably, to a European reader, be the least acceptable of its contents.

In China, the succession of a new line, or dynasty of princes, has been, as it must be in most regular and professedly absolute monarchies, invariably attended, not only with an entire dissolution of the government, but nominally, at least, with an abrogation of the constitution established by the preceding family; though in most cases the necessity must already have been apparent of afterwards re-building the fabric of similar materials, and upon similar principles. None, therefore, of the laws and institutions now in force in the

Chinese empire, bear a more remote date than that of the last Tartar conquest: notwithstanding which, this code, (as well as indeed almost every thing in which the Chinese people is concerned,) carries with it, it is important to remark, an internal evidence of the antiquity of its origin and prototype, not less convincing and unquestionable, perhaps, than the most solid monuments, or the best authenticated records by which the past periods of the existence of any other nation are at present attested.

A considerable portion of the interest, to which inquiries into the present state of the Chinese empire are entitled, necessarily depends upon the credibility of its extraordinary pretensions to antiquity; and these pretensions, it must be acknowledged, have been sometimes disputed, as not sufficiently supported, either by remains or vestiges, actually existing in China, of very remote ages; or by the corroborative testimony of any other than their own native historians. It may be proper, therefore, to state in this place, some of the grounds upon which the substantial accuracy and authenticity of the accounts given us in these respects by the Chinese themselves, are nevertheless assumed as points, which may now be considered as almost beyond the reach of controversy.

It is, in the first place, a material consideration, that although the annals of the Chinese, like those of almost all other nations, are prefaced with incredible, and confessedly fabulous accounts of their primitive state, and of the circumstances which attended their first establishment, yet the period at which that part of their history which is professed to be authentic commences, early as it is, is completely reconcileable with the data concerning the re-peopling of the world, which we derive from the inspired writings.

As, therefore, no direct objection can be maintained on this ground, to the antiquity claimed by the Chinese, it seems impossible by any indirect objection, drawn from the want of specific external or internal evidence, to resist the inference, that a people, whose written language, consisting of symbolical characters, is founded on the most ancient of principles, and the frame of whose government is essentially conformable to the patriarchal system of the first ages, must have segretated themselves (if the expression may be allowed) from the rest of mankind before the period at which the symbolical was superseded by the alphabetical character, and the patriarchal, by other systems and forms of government.

We do not indeed recognize in the Chinese constitution, which the lapse of so many ages has refined and consolidated, and which has been necessarily moulded to the various purposes of a great and powerful monarchy, that original form of the patriarchal government which subsisted in detached families, and among wandering tribes, in the rude and simple ages of antiquity.

But there is every reason to consider the foundation to be the same in both cases. The vital and universally operating principle of the Chinese government is the duty of submission to parental authority, whether vested in the parents themselves, or in their representatives, and which, although usually described under the pleasing appellation of filial piety, is much more properly to be considered as a general rule of action, than as the expression of any particular sentiment of affection. It may easily be traced even in the earliest of their records; it is inculcated with the greatest force in the writings of the first of their philosophers and legislators; it has survived each successive dynasty, and all the various changes and revolutions which the state has undergone; and it continues to this day powerfully enforced both by positive laws and by public opinion.

A government, constituted upon the basis of parental authority, thus highly estimated and extensively applied, has certainly the advantage of being directly sanctioned by the immutable and ever-operating laws of Nature, and must thereby acquire a degree of firmness and durability, to which governments, founded on the fortuitous superiority of particular individuals, either in strength or abilities, and continued only through the hereditary influence of particular families, can never be expected to attain. Parental authority and prerogative seem to be, obviously, the most respectable of titles, and parental regard and affection the most amiable of characters, with which sovereign or magisterial power can be invested; and are those under which, it is natural to suppose, it may most easily be perpetuated.

By such principles the Chinese have been distinguished ever since their first existence as a nation; by such ties, the vast and increasing population of China is still united as one people, subject to one supreme government, and uniform in its habits, manners, and language. In this state, in spite of every internal and external convulsion, it may possibly very long continue.

In conclusion of the subject of the antiquity of

the Chinese, it may be sufficient to answer the objections arising from the want of external evidence and internal monuments, by one or two general remarks.

The peculiar site of the region inhabited by the Chinese has been already noticed. The variety of soil and climate which it comprehends, its fertility and productiveness, are equally well known. Under such circumstances the Chinese were neither necessitated by want, nor tempted by curiosity, to cross those barriers of sea and land to which they owed so much of their internal security and prosperity. Having no natural enemies to contend with, they soon lost that warlike character which their primitive ancestors might have possessed in the wilds of Tartary. The art of navigating ships at a distance from land, and the adventurous pursuits of trade with foreign nations, being wholly unnecessary to them, they generally despised as well as neglected.

With little opportunity of becoming generally acquainted with the state of the rest of the inhabited world, and with the unfavourable and uninviting specimen of it, which the wretchedness and barbarism of their immediate neighbours presented, it was almost impossible that they should not look back with peculiar complacency upon their

own undisputed superiority, and gradually acquire much of that high degree of national vanity and arrogance for which they are remarkable.

Thus the Chinese, although they certainly became at a very early period a rich, populous, and, comparatively, an enlightened nation, have not been at any time enterprizing, warlike, or commercial, and therefore have been in fact deficient in those qualities which, of all others, are the most conducive to the extension of the fame of any people among distant countries.

The want of ancient monuments, were it even without exception to be admitted, might, in great measure, be accounted for by the proneness to decay of all their buildings, owing to the unsubstantial system and principles of their architecture ; but they have at least one monument of antiquity, which, in point of magnitude and extent, certainly eclipses those of all other nations and ages.

There are, perhaps, few facts in history more incontestably proved than the construction, in the third century before the Christian era, of the great wall which still continues to separate and form a barrier between China and that tract of country, now denominated Chinese Tartary.

This stupendous effort of human labour is not, indeed, viewing its object, any proof of the bravery, nor viewing its inefficacy, any proof of the sagacity, of the nation which produced it; but it will not be denied to be a decisive evidence that the Chinese formed even at that remote period a considerable empire, were united under a strong and regular government, and certainly in no very low state of civilization.

This digression relative to the antiquity of the Chinese empire, as far as it may be inferred from general considerations, has been conceived necessary to the introduction of the few following remarks, applicable more particularly to the origin and history of their laws, such as they now appear to us in the code of the present dynasty.

On this subject it is to be presumed the missionaries might have given us ample and authentic details, as they expressly inform us (Memoires sur les Chinois, vol. viii. p. 220.) that there exists in China an "Histoire des Loix de Chine, en 74 volumes, en remontant de dynastie en dynastie, jusqu'a *Yao* et *Chun*;" which emperors are universally admitted by the Chinese to be the founders of their laws, if not also of their monarchy. In the numerous quartos, however, which are

occupied by the translations of Moyriac de Mailla, the compilations of Du Haldé and Grosier, and the miscellaneous work entitled "Memoires concernant les Chinois," very little is to be found concerning the laws which can be considered in the light of historical deduction, and that little, it is to be regretted, is in a great measure contradictory, or loose and inconclusive.

In the Memoires sur les Chinois, vol. i. p. 180, it is stated, that "Les interpretes du *Chou-King* s'accordent assez à dire qu'il n'y avoit point de supplices sous le regne de *Yao*, et qu'ils n'etoient pas nécessaires. La vertu et la douceur de ce bon prince suffisoient, disent ils, pour empêcher les fautes, ou du moins en prévenir les suites. Son exemple persuadoit l'amour de la vertu, et conservoit l'innocence des mœurs publiques." Yet it is admitted in the same page, that the associate and successor of the above mentioned monarch, and the emulator of his virtues, was supposed by some of the commentators to have established the following terrible punishments, which equal in severity any thing which is even now recognized, and in ordinary practice in China:—"1. Une marque ineffaçable sur le front: 2. l'amputation du bout du nez: 3. l'amputation du bout des pieds: 4. la castration: 5. la mort.

These commentators are indeed imagined to have been mistaken; but in page 20, of the 3d volume, and 56, of the 4th volume of the same work, the fact is re-asserted without any other reservation than that, although such laws had really been established at the period stated, the innocence and virtues of the people were such, that many centuries elapsed before it became necessary to enforce them.

The truth, it is most probable, lies between the two extremes; and while we may agree with the Missionaries, that the practice of such cruelties in the ordinary administration of justice is improbable, and inconsistent with the high character which is given of the wisdom of the sovereign and the mildness of the people at that era, we shall scarcely be so extravagant as to suppose that punishments, and even severe ones, could have been at any time altogether unnecessary.

The notices which are interspersed throughout the above works, of the alterations and improvements which afterwards took place in the system of the Chinese penal law, under the princes of the several successive dynasties, contain, unfortunately, as has been observed, nothing precise or circumstantial; and all the information, which, in addition

to the communications of the Missionaries, the Translator of the present work feels himself justified in offering as authentic, is comprised in a short note, attached to the Chinese original.

The first regular code of penal laws is, in that note, attributed to a person named LEE-QUEE, and is denominated after him, LEE-QUEE-FA-KING. It seems to have been simple in its arrangement and construction, having been confined to six books only, two of which appear to have been introductory, the third relating to prisons, the fourth to the administration of the police, the fifth to the lesser or miscellaneous offences, and the sixth to all the great and capital crimes against public justice.

The character of LEE-QUEE, as well as the age in which he lived, are left in great measure to conjecture; but there is reason to infer that the code which bears his name, was first put in force under the dynasty of *Tsin*, which succeeded to the throne of China, B. C. 249; But it is evident, from the slight mention that is made of this personage, that so far from having been a legislator, he was not even a compiler of any considerable celebrity.

There can in fact be little doubt, that the principal characteristics, not only of the code published by LEE-QUEE, but also of that in force at this day, originated at periods far more remote than that under consideration; but a new compilation, at least, of the Chinese laws must necessarily have formed a part of the plan of that celebrated Emperor of the race of *Tsin*, who is said to have been so ambitious of the reputation of having been the actual founder of the monarchy, as to have sought it by a vain and absurd attempt to effect the destruction of all the books, records, and other existing memorials, of preceeding ages.

The Chinese note already quoted likewise describes, generally, the alterations and enlargements which took place in the plan and divisions of the code, upon the successive elevation to power of each of the several dynasties of *Han*, *Wee*, *Tsin*, *Tse*, *Swee*, *Tang*, *Sung*, *Yuen*, and *Ming*, until it assumed, shortly after the accession, A. D. 1644, of the dynasty of *Tsing*, now reigning, that form in which it still continues to be promulgated and observed throughout the empire.

Having thus been able to trace back the present code with certainty, to considerably remote sources, it will not be deemed extraordinary that, as even

in our European codes, although the structure is comparatively of a recent date, it is often rendered intricate and inconvenient from an adherence to a plan, which, owing to its antiquity, is in some places altogether inapplicable to the state of things as they at present exist; and yet, out of respect to its origin, is only cautiously, and perhaps awkwardly, modified, instead of being wholly set aside or fundamentally altered, as often as new circumstances and events had rendered it expedient. Another, and a no less considerable source of inconvenience, is, it must be acknowledged, the very artificial and complex construction of the code itself; however much the ingenuity of the contrivance, and the labour bestowed in the adaptation of the means to the end, may at the same time be deserving of being admired.

It may indeed be almost invariably remarked, in respect to the institutions of civilized, and particularly anciently civilized, nations, that although the ends of substantial justice may in general be really consulted, it is almost in vain to expect to find a suitable provision for the attainment of those ends by the shortest and simplest means. This desideratum, however its attainment may be held out in the speculations of theorists, seems to be reserved to be accomplished by the wisdom of

future ages. How far, in the formation of the laws of the Chinese, the ends of substantial justice are even consulted, there must, also, no doubt, be some variety of sentiment. There are certainly many points upon which these laws are altogether indefensible. We shall look in vain, for instance, for those excellent principles of the English law, by which every man is presumed innocent until he is proved guilty; and no man required to criminate himself. Such maxims the Chinese system neither does nor indeed could recognize. But it will scarcely escape observation, that there are other parts of the code which, in a considerable degree, compensate these and similar defects, are altogether of a different complexion, and are, perhaps, not unworthy of imitation, even among the fortunate and enlightened nations of the West. It is sufficiently obvious, indeed, that the intrinsic merits of any code of laws, which is not professed to be, either the result of the meditations of a philosopher, or the untried theory of a legislator, but which, on the contrary, actually is in force, forms the basis of the government of a nation, and as such, has been fairly submitted to the important test of experience, are not to be estimated by any imaginary standard of perfection. Such a code can be justly compared only with those other codes of law, whose practicability and

expediency have already been tried by a similar ordeal; and in making the estimate, the consideration of those local circumstances and peculiarities, upon a conformity to which, the excellence of the national laws in every country so greatly depend, is certainly least of all to be omitted.

This is, upon the whole, very justly described, as well as happily illustrated, by the President de Montesquieu, in his "Esprit des Loix;" and is so important to the right understanding of the laws of the extraordinary people under consideration, that the following short quotation from that work, it is hoped, will not be unacceptable.

"Les loix politiques et civiles de chaque nation," he observes, "doivent être tellement propres au peuple pour lequel elles sont faites, que c'est un très grand hasard si celles d'une nation peuvent convenir à une autre. Il faut qu'elles se rapportent à la nature et au principe du gouvernement qui est établi, ou qu'on veut établir; soit quelles le forment, comme font les loix politiques; soit qu'elles le maintiennent, comme font les loix civiles. Elles doivent êtres relatives au *physique* du pays, au climat glacé, brûlant ou tempéré; à la qualité du terrain, à sa situation, à sa grandeur; au genre de vie des peuples, laboureurs, chasseurs,

ou pasteurs: elles doivent se rapporter au degré de liberté que la constitution peut souffrir; à la religion des habitans, à leurs inclinations, à leur richesses, à leur nombre, à leur commerce, à leurs mœurs, à leurs manieres. Enfin, elles ont des rapports entr'elles; elles en ont avec leur origine, avec l'object du législateur, avec l'ordre des choses sur lesquelles elles sont établies. C'est dans toutes ces vues qu'il faut les considérer."

To this may be added, from the high authority of Sir William Jones, the more concise and equally appropriate remark which he makes on the same subject, in his Preface to the Laws of MENU; "That the best intended legislative provisions would have no beneficial effect, even at first, and none at all in a short course of time, unless they were congenial to the disposition and habits, to the religious prejudices, and approved immemorial usages, of the people, for whom they were enacted."

After expressing a wish, that the reader should form his judgment of the Chinese Laws by these criteria, it seems preferable to refer directly to to the translation of the Code itself, and to the illustrations subjoined to it, than to attempt in this place any detailed anticipation of its peculiarities

and characteristics. A few general observations respecting their application and practice, may, nevertheless, until clearer lights can be thrown on the subject by closer and more capable observers, be of some utility, in as much as they may contribute to that just conception of the facts themselves, without which the most accurately drawn conclusions would, of course, be nugatory.

It may be noticed, in the first place, that although the ingenious M. Pauw, in his Philosophical Researches, has not exceeded the truth in observing, that "les principaux ressorts du gouvernement Chinois sont le foüet et le bâton;" neither these, nor any other corporal punishments, are in such universal use, or administered with such undistinguishing severity, as has sometimes been imagined.

Thus, in a book of drawings, copied apparently from Chinese originals, and published in England under the title of "*Punishments of China;*" the fancy of the painter has given, in some instances, a representation of cruelties, and of barbarous executions, which it would be very erroneous to suppose have a place in the ordinary course of justice, although something of such a nature may, no doubt, have been practised heretofore under

some tyrannical and sanguinary Emperors ; and even perhaps in the present age, upon some particular and extraordinary occasions.

Thus, also, though every page of the following translation may seem at first sight to bear testimony to the universality of corporal punishments in China, a more careful inspection will lead to a discovery of so many grounds of mitigation, so many exceptions in favour of particular classes, and in consideration of particular circumstances, that the penal system is found, in fact, almost entirely to abandon that part of its outward and apparent character.

The acts which the laws of China enforce, and those which they prohibit, are indeed, in some cases, such as are more usually left in Europe to the decision of custom and individual feeling ; but, in a country in which the laws have not in any considerable degree, the active concurrence, either of a sense of honour or of a sense of religion, it may perhaps be absolutely requisite that they should take so wide a range. Experience may have dictated the necessity of their interfering in this direct manner in the enforcement of all those national habits and usages, whose preservation, as far as they are of a moral or prudential tendency

must undoubtedly be of essential importance both to the security of the government and to the happiness of the people.

Another object seems to have been very generally consulted, that of as much as possible combining, in the construction and adaptation of the scale of crimes and punishments throughout the Code, the opposite advantages of severity in denunciation and lenity in execution.

The excessive severity of the punishments actually inflicted in cases of treason, rebellion, breach of duty to parents and husbands, and in some others, is scarcely any exception to this rule; as, even in such instances, the execution of the law is lenient in comparison to its literal and *prima facie* interpretation. One considerable inconvenience, indeed, results from this system: in consequence of its adoption, although the place intended to be assigned to each transgression against the laws in the general scale of criminality, is certainly very readily discoverable by the number of blows of the bamboo, or by the extent of the punishment, in other respects, nominally denounced against the transgressor, the punishment which he is, in any particular case, actually liable to suffer, is rarely, if ever, to be ascertained

without various references and considerable research. The sections of the Chinese Code may thus, perhaps, not unaptly be compared to a collection of consecutive mathematical problems, with this additional circumstance of perplexity, that a just and entire comprehension of each section individually, requires a general knowledge of those which follow, no less than of those which precede it.

With all its defects, however, and with all its intricacy, this Code of Laws is generally spoken of by the natives with pride and admiration; all they seem in general to desire is, its just and impartial execution, independent of caprice, and uninfluenced by corruption.

That the laws of China are, on the contrary, very frequently violated by those who are their administrators and constitutional guardians, there can, unfortunately, be no question; but to what extent, comparatively with the laws of other countries, must at present be very much a matter of conjecture; at the same time, it may be observed as something in favour of the Chinese system, that there are very substantial grounds for believing, that neither flagrant, nor repeated acts of injustice, do, in point of fact, often, in any rank or station, ultimately escape with impunity.

The foregoing observations have either had relation to the peculiar subject of the original of the present work, or to the circumstances which have been conceived to render it not altogether unworthy of the attention of the learned and curious in Europe.

It still remains for the Translator to explain in what manner, and to what extent, it has been his endeavour to transfuse the original Chinese text into the idiom of the English language. And this he feels it his duty to do more fully and circumstantially than if he had been pursuing a well known and beaten track, which might not only have justified a greater degree of confidence, but have likewise rendered explanations for the satisfaction of his readers less necessary.

In respect to the plan, the most obvious consideration which occurred, at the very commencement of the undertaking was, that a translation at length, of every thing contained under the title of TA-TSING-LEU-LEE, a work occupying, in so concise a language as the Chinese, no less than 2906 octavo pages, was, if not absolutely impracticable, certainly altogether inexpedient.

If, in order to reduce the work into a com-

pendious form, the Translator had permitted himself the liberty of making an abstract or abridgement of the text, he might, at the same time have endeavoured to have adopted a more systematic arrangement, a more pleasing style, and a more harmonious phraseology ; but he was sensible that he should in the same proportion have impaired the two recommendations most essential to the value of the work, its authenticity, and its originality. He, therefore, determined upon a selection, not, indeed, according to any conjectural estimate of the superior importance of any particular part of the Code over another, but according to the rule, which, by the division of the laws into fundamental and supplementary, the Code itself afforded.

The *Leu*, or Fundamental Law, are those of which the Penal Code, upon its formation soon after the accession of the present dynasty, appears originally to have consisted, and which, being, at least nominally, permanent, are reprinted in each successive edition, without either alteration or amendment.

The *Lee*, or Supplementary Laws, are the modifications, extensions, and restrictions of the Fundamental Laws, which, after undergoing a

deliberate examination in the Supreme Councils, and receiving the sanction of the Sovereign, are inserted in the form of clauses, at the end of each article or section of the Code, in order that they might, together with the Fundamental Laws, be equally known and observed. They are generally, however, revised every fifth year, and subjected to such alterations as the wisdom of the government determines to be expedient.

Under these two denominations, the whole body of Chinese Penal Law is comprehended ; but the number of documents which possess the force of laws without the name, must, under a government in which every authenticated expression of the will of the Prince bears that character, necessarily be unlimited.

Each article of the Fundamental Laws is also accompanied by a familiar Exposition, or rather Paraphrase, which bears the name of the Emperor YONG-TCHING ; and the whole of the text is further illustrated by extracts from the works of various commentators: These appear to have been expressly written for the use of instruction of the magistrates, and accordingly form a body of legal reference, directly sanctioned for that particular purpose by the government.

These extracts have not indeed been found to convey, on all occasions, that ample and satisfactory information which was at first expected from them ; but this will not appear very extraordinary, when it is considered, that the persons whom they were designed to instruct, are exclusively natives, and, therefore, probably the least in want of an explanation upon those very points, which to a foreigner are necessarily the most perplexing.

Still, however, the Translator has derived from a perusal of this part of the original work considerable advantage ; and when other sources of information failed to dispel the obscurity of which the conciseness of the text was sometimes productive, a reference to the expanded and explanatory form of expression, adopted in the paraphrase of the Emperor YONG-TCHING, was often found to supply every thing that was wanting to its complete elucidation.

Throughout the work, the Translator's first object, and that which he has endeavoured to keep constantly in view, has been to convey the full meaning of each article or paragraph successively, in appropriate, and, at the same time, intelligible language ; in other words, to draw as justly as possible, the middle line between the unfaithfulness

and inaccuracy of a free, and the ungracefulness and almost ungrammatical obscurity of a close version.

He is very sensible that his best efforts cannot have wholly protected him from occasional deviations from the course which he has prescribed to himself: but he trusts he shall meet with the excuse, if not also with the approbation, of the reader, in entertaining in every doubtful case, a disposition to prefer the latter of the opposite alternatives.—He is, at the same time, not unconscious, that the preservation of the style and form of expression observed in the original, is in itself, in this case, of little importance: that it is the nature and principles of the *laws*, not those of the language of the Chinese people, which it is properly the object of his work to illustrate. Under this impression, he has readily submitted to the necessity, whenever it occured, of altering the order of words, and the construction of sentences; he has seldom scrupled to supply the want of a synonimous expression, by a definition; he has ventured to embody in words those ideas which, though forming an integral part of the sense of the text, were yet left by a sort of ellipsis, to be understood by implication and inference.

It is, lastly, proper to notice, that in some few instances, the text has been found so obscure, and its construction so recondite, that no effort of attention was adequate completely to reconcile the apparent sense of the words, when considered individually, with their collective meaning, such as it was unanimously declared to be, by the most intelligent of the natives whom the Translator had an opportunity of consulting.

There is, certainly, something in the figurative or poetic style, with which the Chinese, on some occasions, embellish their writings, that a foreigner can scarcely ever hope to fathom, by any ordinary means of analysis or investigation ; but, fortunately, instances of this kind are so rare in the Penal Code, that they form only a very trifling exception to the general style of the work, which, on the contrary, is remarkable for its conciseness and simplicity, and as familiar, as the subject and the use of technical phraseology would permit. So peculiarly difficult, indeed, is the figurative and poetic style of certain compositions of the Chinese, that one of the most distinguished among the Missionaries, for his talents and knowledge of the language, declares in his preface to a translation of an Imperial poem, which he entitles "Eloge de Mougden," that without a reference occasionally

to the Mantchoo Tartar translation of that work, he never could have accomplished his undertaking.

In regard to terms, more or less peculiar to the Chinese, such as in a work of this nature would necessarily be of constant occurrence, the Translator might easily have relieved himself from every responsibility, by retaining in each case the original Chinese expression; but, considering that the very sounds of the language are strange and unpleasing to European ears, and, in fact, but very imperfectly capable of being represented by any European alphabet, he has conceived it would on every account be most desirable to reduce the untranslated words into as small a compass as possible, explaining the remaining few in notes in the margin; and remarking generally, with regard to the rest, that, as in the case of the words *Emperor*, *Tribunal*, and the like, they are approximations to the truth, whose ambiguity, if any, the context is generally fully sufficient to remove.

The Translator may be allowed to remark, that the choice of his subject was originally influenced by circumstances, in some degree accidental. It first occupied his attention in consequence of his having been personally a witness to many of the

unnecessary provocations, groundless apprehensions, and embarrassing discussions, of which, since the first commencement of our present important commercial and national intercourse with the people of China, false or imperfect notions of the spirit of their laws have been, but too often, the occasion: and although the translation of every part of the work did not promise, in this point of view, to be of equal utility, he always found it, at the least, a gratification to curiosity, and a not uninteresting employment of leisure hours: it is only, however, very recently, and in compliance with the perhaps too partial suggestions of those to whose perusal the Translator has had the pleasure of submitting the manuscript, that he has allowed himself to believe it might prove not altogether unworthy of the attention of the Public at large.

He was sensible that on this occasion it was his first duty to assure himself of the substantial accuracy of his translation. But it was, at the same time, his anxious wish to render it, preparatory to its publication, as little exceptionable in other respects, as a due regard to that primary object would admit. It therefore affords him a peculiar pleasure to be able in this place to acknowledge the valuable suggestions which, to this end, two

of his friends (Mr. Charles Butler and Mr. John Barrow) have kindly contributed; both of them distinguished men of letters, the one with the addition of being pre-eminent in his profession of the law, and the other in respect to his extensive information upon the actual state of the Chinese empire, and his ardent zeal to promote and extend its relations with Great Britain, for the mutual benefit of both countries.

In making this declaration, however, it is far from the Translator's wish to avail himself of these respectable sanctions for the protection from censure of a work, for which he must of necessity be solely responsible; nor can he pretend to have had, in this country, the advantage of that particular assistance, which an acquaintance with the language of the original could alone have placed his friends in a situation to afford him.

In order to give as much of that species of illustration, which an undertaking of this nature more particularly requires, an Appendix is subjoined, consisting, first, of translations of some of the most interesting of the Chinese official documents in the Translator's possession, which happened to be either connected with, or in any way applicable to the subject; secondly, of trans-

lations of some of the most remarkable of the supplementary laws or clauses ; and, lastly, of some detailed remarks and notices upon particular passages, which could not have been conveniently inserted at the foot of the page.

Still, however, the Translator is sensible, that, after every endeavour to render the following work as complete as possible, it must yet, in many points, be unavoidably defective ; but he at the same time feels encouraged by the assurance, that his readers are too well acquainted with the nature of the undertaking, and the peculiar circumstances connected with it, to entertain expectations founded upon a reference, either to the celebrated treatises upon our own laws by Blackstone and others, or even to the accounts which we possess of the laws of many foreign, but at the same time more easily accessible, countries. Being also almost the first essay at translation from a Chinese original into the English language, he trusts that even in that point of view it will not be deemed undeserving of indulgence.

His own wishes will be gratified in their full extent, if he can be considered to have succeeded in giving, through the medium of an authentic work, containing incidental notices upon the

manners, customs, civil and religious habits, national characteristics, and moral principles of the Chinese, a just idea of the spirit, and a sufficiently extended specimen of the substance, of the coercive and penal laws by which the government of that vast empire has so long been maintained and regulated.

Devonshire Street, March, 1810.

NOTES TO THE TRANSLATION

OF THE

CHINESE PENAL CODE.

P. lxv.

The princes of the family now on the throne of China, do not date their origin from any remote period. Their ancestors were not established at Mougden, in Mantchoo or Eastern Tartary, before the year 1616; but they made a rapid progress from that period. In 1644, during the troubles and internal commotions which prevailed in China, under a declining dynasty, they obtained possession of the Chinese capital, and in the course of a few years completed the conquest of the whole empire.

P. lxx.

It has not been conceived necessary, or even desirable, to introduce, in the course of these occasional notes, any detailed references to the remarks of preceding writers. This has not, however, prevented the Translator from speaking generally, on one occasion, (page 318) of the valuable work of Mr. Barrow; or on another, (page 107,) of the interesting translation published by the Bishop of Dromore; or, lastly, from taking the present opportunity of noticing the short,

but excellent remarks on Chinese Literature, which we owe to the learned and judicious author of *Horæ Biblicæ*. And with respect to the works of the Missionaries, although the Translator of the present work was aware that he should not be justified in recommending an implicit reliance upon them, he has been happy to refer generally to the vast fund of curious and important information upon China, which, notwithstanding this reservation, the above class of writers must be admitted to have afforded. With regard to the work, which, as far as it extends, perhaps stands the highest in point of authority of any that has been written on the subject of China, the Translator feels naturally a delicacy in saying any thing.—He has, however, the satisfaction to reflect, that the *Authentic Account of the British Embassy*, by his late Father, does not, at this day, require any new arguments or testimony, to confirm it in its place in the public esteem.

P. lxxiv.

Che and *Tsun* are Chinese measures of length, usually denominated at Canton, *Covids* and *puntos*. The *Che* (of which the *Tsun* is the tenth part), which is in ordinary use throughout the empire, exceeds the English foot by rather more than half an inch; but the *Che*, used at Canton for the measurement of goods in trade, is somewhat longer, being 14 inches and 625 decimals.

P. 2.

Ten *lee* are estimated to be equal to three geographi-

cal miles, but the proportion varies a little in the different provinces of the empire.

P. 9.

The supreme tribunals or departments in which the general administration of the empire is conducted are six in number, and correspond to the six principal divisions of the code, to which the present is an introduction.

P. 10.

Every officer of government from the first to the ninth rank, must be previously qualified by a literary or military degree, according to the nature of his profession; but the clerks and other inferior attendants in the employ of government are not considered to have any rank, or to be permanently distinguished from the rest of the community.

P. 12.

All the Tartars who have obtained settlements within the limits of China, since the accession of the present dynasty, are enrolled for military service, and liable to be called upon to serve the Emperor under the banners to which they are severally attached. The enrolment or mode of registering the native Chinese in their several districts and provinces, as prescribed by their laws, is the subject of the first book of the third division.

P. 14.

The civil appointments in China are generally

conferred for three years, at the end of which the appointments may be renewed ; but the changes (in the higher departments especially) are generally more rapid, so much so, that a new edition of the Imperial Court Kalendar, which is a list of the civil and military appointments of the empire, filling six closely printed duodecimo volumes, is found requisite every three months.

P. 21.

The term here translated *Astronomy*, must of course be understood in a qualified sense, adapted to the low state of the science at present in China, owing to the ignorance and superstition of its professors, and the neglect or indifference of the government towards it. Still, however, this section of the laws, containing an exception expressly in favour of astronomers, and for securing to the state the benefit of their labours, is an honourable tribute to the excellence and utility of the science, and a proof that its cultivation is professed to be an object of some national importance. It is also to be observed, that in the beginning of the last century, under the patronage of the enlightened Emperor, *Kang-hee*, the European missionaries at Pekin printed and published in the Chinese character several useful works connected with this science, some of which, particularly a beautiful edition of a table of logarithms, are at present in the library of the Royal Society.

According to the Chinese Imperial Kalendar, this board, usually termed by the missionaries the Tribunal

of Mathematics, consists of seven members, among whom three are Europeans, and the rest Tartars or Chinese, including the president, who is always a prince of the blood. There are also other boards or departments subordinate to the principal one, consisting, according to the kalendar, of seventy-five persons in the whole, all of whom are either Tartars or Chinese; but although the names of only three of the missionaries appear on the official list, all those who are retained in the service of the Emperor at Pekin, are employed at Court according to their capacities, and are decorated with the buttons denoting official rank.

P. 22.

Notwithstanding the simplicity and unimproved state of the Chinese music, it appears from the annals of the empire, that the art was anciently held in high estimation; and even at present, the musical board is under the government of a prince of the blood, and is of equal rank with the other public offices at the capital.

With regard to artificers, the exception here made in their favor is probably considered necessary to secure their services, when engaged in the various public works described in the concluding division of this Code.

The word *tribunal* has been employed in various instances, in which some other term more generally received in our language, such as board, office, council, committee, department, &c. would at first sight

appear preferable, but the Chinese term for a court of justice being likewise applied to public offices in general, and the forms being similar in all cases, notwithstanding the difference of the business transacted in them, the above expression has been chosen in this and most instances, not only as sanctioned by former writers on China, but as more generally applicable than any other.

P. 27.

The general currency in China is restricted to copper, but all accounts are kept in ounces, and the decimal parts of ounces, of silver.

P. 30.

In translating the titles of the constituent officers of a Chinese tribunal or public board, it was impossible to find terms that were not in some point of view exceptionable; but those that have been chosen will shew, that the arrangement is analogous to that adopted in such of our own colonial governments, as are administered by a president, members of council, secretaries, and clerks. What seems most remarkable in this respect in China, is, that the lowest officer incurs the greatest share of the responsibility; but this is confined to offences by implication only. It may not therefore be unjust, whenever the measures or the decisions of a board or tribunal are found to be reprehensible, without any offence being directly imputable to a particular individual, that that member of the tribunal should be subjected to the largest share of the punishment, by whose suggestion and instru-

mentality, the business had been conducted, and whose inferior station might be supposed to have enabled him to gain a more accurate knowledge of the circumstances upon which the justice or injustice of the decision depended, than was likely to have been in the power of his superiors.

P. 36.

This section of the code has been expressly quoted by the provincial government of Canton, and applied to the case of foreigners residing there and at Macao for the purposes of trade. The laws of China, have never, however, been attempted to be enforced against such foreigners, except with considerable allowances in their favour, although, on the other hand, they are restricted and circumscribed in such a manner, that a transgression on their part of any specific article of the laws, can scarcely occur; at least not without, at the same time, implicating and involving in their guilt some of the natives, who thus, in most cases, become the principal victims of offended justice.

The situation of Europeans in China is certainly by no means so satisfactory on the whole as might be desired, or as it may be reasonably expected to become in the progress of time, unless untoward circumstances occur to check the gradual course of improvement. Yet it must be admitted, as an excuse for some of the despotic restrictions imposed by the Chinese government upon foreigners, that the extreme contrariety of manners, habits, and language, renders some such controul over the intercourse between the Eu-

ropeans and the natives, as that which now subsists, absolutely indispensable, as well as conducive to the interests of both parties.

P. 42.

The civil year in China ordinarily consists of no more than 354 days, or twelve lunations, but an intercalary month is introduced as often as may be necessary to bring the commencement of every year to the second new moon after each preceding winter solstice.

P. 45.

Beside the several degrees of banishment described in this and the preceding section, a more severe punishment, of a similar description, has been introduced since the original formation of the code by the present dynasty, and amounts to transportation to, and slavery for life at *Elee*, a government station in a remote province of Tartary, annexed by the late Emperor, *Kienlong*, to the dominions of China. This species of punishment is either appointed as a mitigation of the sentence in certain capital cases, or in aggravation of the punishment of certain crimes, whose frequency had increased, according to the Emperor *Kaunghee's* introductory preface. The numerous supplementary clauses annexed to the preceding section describe these regulations in detail.

P. 49.

Although titles descendible to the heirs male are occasionally conferred in China by the Emperor, as a reward for eminent services, they are resumable by the

Crown at pleasure, and the possessors of them enjoy few, if any, exclusive privileges.—None of the hereditary dignities which existed previous to the Tartar conquest in 1644, appear to have been recognised by the present government, except that attached to the family of Confucius, whose real or supposed descendants are at this day distinguished with peculiar titles of honour, and maintained at the public expence.

P. 51.

The viceroys and commanders-in-chief of provinces are constantly in the habit of filling up the various civil and military appointments under their respective jurisdictions, when they become vacant; but it is always done expressly by virtue of the authority conferred by the Emperor, and generally stated to be only *ad interim*, until His Majesty's pleasure is known.—The object of the law in this place appears to be, to prevent any of the great officers of state, or principal nobility, from encroaching upon the royal prerogative, by forming a petty court or principality, dependent on themselves: an offence of this description was the subject of one of the leading charges against *Ho-chung-tong*, the minister and favourite of the late Emperor, an account of whose trial and condemnation is given in the Appendix to the Translation of the Code.

P. 52.

A detailed description of the manner in which the several public offices and tribunals are constituted, and of their respective powers and functions in carrying on the business of government, does not form a con-

stituent part of the present work, although enough is stated on the subject, indirectly and incidentally, to afford, when considered together, a sufficiently correct idea of the general system.—To furnish details of this kind, is one of the leading objects of another Chinese work, entitled *Ta-Tsing-Hoey-Tien*, or the Great general Code of the present Dynasty, and which may be considered as the official account of the political constitution of China in its several branches, though it has been described in some of the works of the missionaries, rather improperly, as the legal code of the empire. It has also been mentioned in terms, which excite more curiosity, than a translation of the work, if it could be executed, would be likely to gratify. See the *Memoires sur les Chinois*, vol. iv. page 220, and vol. viii. page 127.—The really curious matter which this great work, occupying 144 volumes, actually contains, is buried in a vast mass of details, which out of China, cannot possibly create any interest.

P. 54.

The Chinese empire is divided, in the first instance, into 18 provinces, which are governed either by a viceroy (*Tson-Too*), or a sub-viceroy (*Foo-yuen*), or by two such officers, having a concurrent jurisdiction. Each province is subdivided into districts, under the government of the magistrates of the several cities of the first order, and these governments are again divided into smaller jurisdictions, whose magistrates are governors of cities of the second or third order.

According to one of the latest editions of the Chi-

nese Imperial Court Kalendar, there are 11 officers bearing the title of viceroy, 15 that of sub-viceroy, 19 provincial treasurers, 18 provincial judges, and 17 provincial examiners for degrees; also 184 governors of cities of the first order, 212 governors of cities of the second, and 1305 of the third. These numbers are nearly the same with those stated in the authentic account of the British Embassy to China; but as the enumeration in the works of Du Halde and Grosier differ from the above, and from each other, it was considered desirable to give these particulars from an authority that might be considered as decisive.

P. 55.

These (literary) degrees have generally been considered as similar to those conferred upon students in European universities; but it is to be observed, that in China the examinations are not connected with any particular establishments or system of education, but conducted periodically by officers appointed by government, at each of the chief cities of the empire; and that they are, with few exceptions, open to all classes and descriptions whatsoever: the degrees also, instead of being merely literary, are, in fact, the sole regular channel of introduction to official employment, and consequently to rank and honours, in the empire.

With respect to the Tartars, these examinations are either wholly dispensed with, or very much relaxed in point of rigour, as well as conducted according to a

different system. The Chinese are sometimes enabled, by the means of their wealth, to obviate a part of the difficulties attending their progress, by an authorised commutation, but there is no reason to believe, that this legal inquiry into the qualifications of the candidates can in any instance be altogether evaded.—Those degrees which are partly obtained by purchase, although legal, are accounted less honourable. On this subject, the Appendix to the Translation of this Code contains a translation of an Imperial Edict, extracted from the Pekin Gazette of the 23d of April, 1800.

P. 60.

How far the inferior tribunals of justice, and other departments of government, are connected with, and subject to, the authority of their respective superiors, will be best understood by a reference to particular instances; and partly with this view, a translation of the official reports of some remarkable legal proceedings have been introduced into the Appendix to the Code, each of which will be specifically referred to in its proper place.

As the investigation of all capital cases must pass through every step, from the tribunal of the lowest magistrate, to the throne of the Emperor; and as there is, generally speaking, a right of appeal through the same channel in all cases, whether civil or criminal, partiality and injustice could, according to such a system, scarcely ever escape detection and punishment,

if the interference and collusion adverted to in the text, did not, whenever it takes place, render the appeal hopeless, and the repetition of the investigation nugatory.

P. 83.

The priests of the sect of *Foe* closely shave every part of the head; those of the sect of *Tao-se* wear their hair, but in a different manner from the natives in general.

P. 93.

Agreeably to the tenor of this law, there are at Pekin, and in other parts of China, certain establishments for the support and education of foundlings, and for the maintenance of the aged and destitute; but the sacred regard which is habitually paid by the Chinese to the claims of kindred, operates more effectually and extensively in the relief of the poor, (except in the seasons of scarcity and distress from accidental causes,) than almost any legal provision could be expected to do in so vast and populous an empire.

P. 94.

A considerable difficulty has been experienced in estimating the exact extent of the division of land, called by the Chinese, *meu*, owing to the various modes of admeasurement practised in China at different periods, and by different classes of people; but from a comparison of several accounts given in original Chinese works, it appears certain that the legal measure at

present consists of 240 square *Poo*, or paces; that each *poo* is equal to six *che*, and that a *che* exceeds the English foot by rather more than half an inch.—According to this computation the *meu*, or Chinese acre, may be roughly estimated at 1000 square yards of our measure.

P. 96.

A remission of a part or of the whole of the regulated amount of the assessment of the land-tax; and, at the same time, a prompt distribution of a supply of grain from the public stores, are the means most usually employed by the government to alleviate the distress, which a deficient harvest, whenever it occurs, must, in an empire depending solely on its own productions for the subsistence of a population already for the most part redundant, necessarily occasion. In the Appendix to the Translation of the Penal Code, some account of one or two recent instances of this kind is inserted.

P. 107.

The peculiar customs and usages which are adverted to in this book of the laws, will be found illustrated and exemplified in a pleasing manner, together with an interesting picture of domestic life in China, in an English translation of a Chinese novel, which was edited many years ago by the learned and ingenious Dr. Percy, Bishop of Dromore, under the title of "*Hau-Kiou-Choaan*, or the Pleasing History."—The translation of this little work, not having been edited by the translator, and having, in part, been taken from

a Portuguese version, cannot be expected to be minutely accurate, though perhaps sufficiently so for the purpose in view; and the translator of the present work has had the satisfaction of ascertaining its authenticity, by a comparison with the Chinese original, of which he has a copy now in his possession.

P. 110.

The peculiar limitations under which polygamy is allowed in China require here some explanation, as it was impossible in translating the text, to distinguish by any terms strictly appropriate, the two modes of espousal which are established by the Chinese laws, and which are equally distinct in point of form as in their legal consequences.

The first or principal wife is usually chosen for the husband by his parents or senior relations, out of a family equal in point of rank and to other circumstances to his own, and is espoused with as much splendour and ceremony as the parties can afford; and the bride, when she is received into the house of the bridegroom, acquires all the rights and privileges, which, under the degraded state of the female sex in Asiatic nations, can be supposed to belong to a lawful wife.

A Chinese may afterwards lawfully espouse other wives, agreeably to his own choice, and with fewer ceremonies, as well as without any regard to equality in point of family and connexions: these wives are all subordinate to the first wife, but equal in rank

among themselves. In describing this connexion, the term *inferior wife* has been preferred to that of handmaid, or concubine, as there are always certain forms of espousal, and as the children of such wives have a contingent right to the inheritance.

P. 111.

It is remarked in a note in the original Chinese, that the bridegroom, who, instead of taking home his bride to his own house, lives with her at the house of her parents, by so doing, deviates from the established forms of espousal; but that having been once so received as a son-in-law, the law protects him in the right which he had acquired, of either remaining there with his wife, or taking her away with him to a separate establishment.

P. 114.

The most usual term in the Chinese language for describing "the people or nation," is *Pe-sing*, or "the hundred names." Although the names of families in China are at present somewhat more numerous, they are very few in proportion to the immense population. The restrictions imposed by this law upon marriage between relatives bearing the same name, must therefore be often embarrassing and inconvenient, however little the choice and inclination of the parties themselves, may, under any circumstances, be consulted.

P. 124.

It is well known to be the policy of the Chinese go-

vernment to have no other currency than a small coin of base metal, chiefly copper, of which the legal value is one thousandth part of a *leang*, or Chinese ounce of silver; the actual exchange sometimes rises above, and sometimes falls short of this rate, in consequence of the intrinsic value of the coinage of different dates varying according to the relative proportions as well as total quantities of the metals employed, while the value of silver is also necessarily subject to fluctuation, as that of any other marketable commodity.

On account of the inconvenience which would attend the payment of large sums in a coin of so low a denomination, and as paper currency is at present altogether unknown in the empire, ingots of pure silver, of one and of ten Chinese ounces weight, (usually cast in moulds, and distinguished with a peculiar stamp,) are most generally employed on such occasions, especially in all payments to government; but it is to be observed, that of late, the European trade has introduced the Spanish dollar into such extensive circulation in many of the provinces of China, that, excepting the officers of the government, it is very generally known and received among the natives, and even at a rate beyond its intrinsic value, in consideration of the apparent security against fraud, which is afforded by the impression.

P. 143.

These regulations obviously regard only the surplus

revenue, or that which is not required for the service of the province in which it is collected. The total amount of the revenue collected in the Chinese empire has been stated at about 66,000,000l. and that of the surplus, remitted to Pekin, at about 12,000,000l. and these sums are probably not far from the truth, though on such a subject, the accuracy of the information which, in the present state of our relations with China, is likely to be accessible to Europeans, must be in some degree questionable.

P. 148.

The salt trade in China, the duties upon which form a considerable branch of the revenue, is a regulated monopoly, carried on by a limited number of merchants, to whom licences are granted by the Crown, and whose proceedings are at the same time subjected to the inspection and control of public officers especially appointed to that service, in each province.—The merchants who enjoy this monopoly, as well as those who have the exclusive privilege of trading with foreigners, rank very high in point of opulence and respectability: —the chief salt merchant of Canton is at present considered to be the richest subject in the province, and the next to him in wealth is a merchant, now retired from business, who, till lately, held the principal station among those engaged in the foreign trade, and acquired nearly the whole of his extensive fortune in the course of his transactions, and those of his family, with the English East India Company.

P. 155.

The rigour of the laws against smuggling has been latterly increased by several statutes and government edicts; and an instance occurred at Canton in the year 1801, in which a Chinese merchant was condemned to pay a fine of one hundred times the legal duty, upon some goods that had been attempted to be smuggled from the ship for which (according to the custom of the port) he had undertaken to become security.—It is to be observed, however, that this enormous fine was afterwards remitted, and that the sentence to that effect was only passed by the officiating magistrate provisionally, though recommended, at the same time, to the consideration of the Emperor as an exception to the established laws, which the peculiar circumstances of the case, and the frequency of the offence had rendered expedient.

P. 169.

Whether these, and some other similar terms employed by the Chinese, are intended to imply the existence of as many distinct objects of worship, or are in fact only descriptive of the different characters and attributes of one supreme Being, recognised and adored as such, is a question upon which even the missionaries, to whom the investigation of the principles of the national or state religion in China must have been an object of peculiar interest, were for a long time divided. The latter opinion was always strenuously supported in the writings, and countenanced by the practice of the Jesuits; but the former, though in a

great measure incompatible with the pleasing notions which have been entertained of the purity of this most ancient part of the Chinese religious system, appears at present to prevail, or at least to be tacitly acknowledged in all the forms of instruction adopted in China by the teachers of Christianity. The phrases considered to be of questionable meaning are carefully excluded, and the Deity is addressed by the native converts under no other title than *Tien Chu*, or "Master of Heaven," a term or combination of words, previously unknown in the Chinese language, but thus introduced by Europeans, in the idea that any other would be liable to abuse or misconception.

P. 182.

The board or tribunal of the censorate has the power of inspecting and animadverting upon the proceedings of all the other public boards and tribunals in the empire, and even on the acts of the sovereign himself, whenever they are conceived to be censurable, but it may easily be imagined that in a government professedly absolute, the power ascribed to the censors in the latter case, must be little more than a fiction of state, instead of operating as a real and effective influence and control.

It must however be admitted that, from other circumstances peculiar to the constitution and administration of the Chinese government, some of which it is hoped this work may be found to elucidate, there are probably few regular and nominally absolute mo-

narchies, in which both the personal conduct and public measures of the sovereign are necessarily so much under the united influence of laws, customs, and public opinion.

P. 184.

By the fourth clause it is enacted that any soldier or citizen shall be punishable with 50 blows, who does not make way when he meets a civil or military officer of government on the public road, or who, if on horseback, does not dismount on such an occasion.

In respect to this law and others of the same description, it may be remarked, that however degrading and oppressive they may appear in the eyes of a European, they are in China intimately connected with, and indeed no more than the natural consequence of of the peculiar character and genius of the people.— In a country where forms and ceremonies are so closely interwoven with all the real business and pursuits of life, it is not felt to be either harsh or tyrannical, that they are thus enforced and regulated by the highest public authority.

P. 186.

The law, which in this place enforces, what in other countries is usually governed only by custom or caprice, is, no doubt, frequently evaded by the private and domestic luxury of individuals; it is however certain that, generally speaking, the pleasure which the possessor of superior wealth may be supposed to derive

from the display of it, a Chinese, whatever his situation, is in great measure, if not wholly, precluded from enjoying.

At the same time there is nothing which leads to a belief, that the law of extraordinary severity mentioned in the description of China, compiled by the Abbé Grosier from the writings of the missionaries, for punishing with death those who wear pearls, has any existence either in theory or practice.

P. 190.

This law seems to have been required to check the absurd consequences of a superstitious notion universally prevalent among the Chinese, of an intimate connexion always subsisting between the advantageous or disadvantageous mode and place of interment of persons deceased, and the future good or bad fortune of their surviving relations.

P. 201.

Notwithstanding the multiplicity and apparent rigour of the laws provided in this and other sections of the code, for ensuring the safety of the person of the Sovereign, the present Emperor, in the year 1803, very narrowly escaped assassination within the precincts of his palace, from the hand of a single, but desperate intruder.—The official report of the circumstances, which was published at the time, being illustrative of the law in this respect; and otherwise also, rather a curious and interesting document, a translation of it is inserted in the Appendix.

P. 238.

By the 11th clause of this section, it is provided with the view of more effectually preventing improper communications with foreigners by sea, that none of the small islands along the coast, which are at any distance from the main land, shall be built upon or in any manner inhabited.—The absolute want of a competent naval force has however disabled the Chinese government from giving any effect to such a regulation, and these islands are at present the constant or chief resort, not only of fishermen, but also of the numerous pirates, by whom the unprotected coasts of China are infested.

P. 252.

The government-post in China, which is the subject of the several sections of this book of the Penal Code, though not professedly open to the people in general, is an establishment of considerable utility and importance, and carried to a degree of perfection, which in an empire so extensive, as well as so ill adapted, from the inequalities and intersections of the surface of the country, to an expeditious mode of internal communication, could scarcely have been expected.

Although the distance from Pekin to Canton by land exceeds 1200 English miles, government dispatches have been known to arrive in twelve days, and within a period of thirty days, answers and instructions have frequently been received by the magistrates from the court, even upon affairs of no extraordinary importance.

P. 263.

The Chinese sedan, or palanquin, is figured and described in the authentic account of the British Embassy. The sedan with two bearers, is the ordinary mode of conveyance by land, for almost every description of unprivileged persons. The sedan with four bearers is exclusively employed by officers of the government, and not allowed even to certain classes of persons who enjoy all the other honorary marks of distinction belonging to that rank.—Some of the great officers of state have the further privilege of being carried, upon particular occasions of ceremony, by eight bearers; but to His Imperial Majesty alone, is reserved the honour of being carried by sixteen.

P. 269.

This (gradual) mode of execution is not noticed among the ordinary punishments, but is particularly described in one of the notes subjoined to the original text. It has been termed in the works of the missionaries, "cutting into ten thousand pieces," and appears to amount, at the least, to a licence to the executioner to aggravate and prolong the sufferings of the criminal undergoing the sentence of the law, by any species of cruelty he may think proper to inflict. It is, however, understood to be the ordinary exertion of the Emperor's prerogative of mercy, to commute this terrible sentence for the milder one of death, by simply severing the head from the body; but there are certainly some instances in which, with a view to public example, or from other causes, this law has been rigorously executed.

P. 292.

Although it would appear from this restriction, that the power of a parent over his child, according to this code, is much less extensive than that allowed by the laws of the ancient Romans, yet as the adoption of children, and the purchase of inferior wives or concubines, is a transaction of constant occurrence, and one in which the real parents lawfully may, and usually do, receive a pecuniary consideration, it can scarcely be denied that the sale of children in China, is practically allowed.—The crime of infanticide, the existence of which has been so often alleged as a stain upon the national character of the Chinese, as well as upon their laws and government, will be noticed in another place.

P. 315.

From this section of the laws it clearly appears, that although a peculiar degree of strictness may exist in China in enforcing the punishment of homicide in general, the commonly received notion of the rigour of the law being such, that no allowance is made even in cases purely accidental, is totally without foundation.

Upon a late occasion, when one of our seamen at Canton was held responsible for the murder of a native Chinese, under circumstances, indeed, of a peculiar nature, and by which for a time the British interests in China were very seriously involved, and all commercial intercourse between the two nations suspended, he was ultimately acquitted agreeably to the provisions of

the law contained in this section:—had it not been known at the time that such a law existed, and had not the Chinese government been almost necessitated as it were, by the firm, but temperate and judicious measures adopted on the occasion by the East India Company's representatives, to apply it to that particular instance, the forms of Chinese justice could not have been submitted to, without risking unwarrantably the sacrifice of the life of a British subject. See a translation of the Chinese official report of the affair in the Appendix to the Code.

P. 317.

See a translation of the report of a trial of an offender convicted agreeably to this law, in the Appendix to the Code, and also another in Mr. Barrow's Travels in China, p. 370.—Although since the publication of that work, some points may have been placed, by the discovery of new facts, in a light somewhat different, so as perhaps to warrant in those respects an opinion rather less disadvantageous of the Chinese character; the general view which has been taken by Mr. Barrow, of the present state of the people and government of China, is so unquestionably just and excellent, his descriptions so happy, and the information interspersed throughout so various and interesting, that instead of quoting particular passages occasionally in illustration of the present work, the translator conceives that he shall contribute ultimately more to the satisfaction of the reader, by taking this opportunity of making one general reference to that valuable publication.

P. 319.

Strictly speaking, the art of Surgery is unknown in China, and the term is here employed merely to point out the distinction which the Chinese make in the medical profession, between external and internal operations.

It is a fact worthy of notice in this place, though not immediately connected with the objects of the present work, that, notwithstanding the peculiar prejudices of the Chinese on the subject of medecine, and their general aversion to every species of innovation, more especially to that which is derived from the suggestions of foreigners, the benefits of Dr. Jenner's invaluable discovery of the vaccine inoculation, are at present enjoyed in a considerable degree by the natives of the southern coast of the Chinese empire, through the skilful and indefatigable exertions of Mr. Pearson, the principal surgeon of the East India Company's factory at Canton.—See that gentleman's interesting communication on the subject, in the Medical Journal for November, 1808.

P. 328.

According to one of the supplemental clauses annexed to this law, an intermediate period of forty days is established for cases of gun-shot wounds; the judicious application of this particular law, it is worthy of notice, once very materially contributed to extricate the East India Company's representatives in China, from very

serious difficulties, and from the distressing alternative, of either ignominiously sacrificing the life of a British subject, or totally abandoning the important commercial interests under their management.

P. 347.

It is manifest from this article, that parents are not in any case absolutely entrusted with a power over the lives of their children, and that accordingly the crime of infanticide, however prevalent it may be supposed to be in China, is not in fact either directly sanctioned by the government, or agreeable to the general spirit of the laws and institutions of the empire. This practice, so revolting to the feelings of humanity, must certainly be acknowledged to exist in China, and even to be in some degree tolerated, but there are considerable reasons for supposing that the extent has been often over-rated; and at all events it does not seem allowable to lay any great stress upon the existence of such a practice, as a proof of the cruelty or insensibility of the Chinese character.—Even the dreadful crime of a parent destroying its offspring, is extenuated by the wretched and desperate situation to which the labouring poor in China, to whom the practice of infanticide is admitted to be in general confined, must, by the universal and almost compulsory custom of early marriages, often be reduced; having large and increasing families, while, owing to the already excessive population of the country, they have not the most distant prospect of being able to maintain them.

P. 360.

It appears from this and other articles of the code, that an appeal from the lower to the higher tribunals is allowed in civil as well as criminal causes; and not, as has been supposed, in criminal causes only; indeed there are no traces of any such distinction, as that of civil and criminal, in the jurisprudence of the Chinese; but it is probable, that as those causes which might be denominated *civil*, are, from the ordinary tenure of property and other circumstances, of comparatively small importance in China, they are not necessarily referred to the decision of the higher courts, and therefore, generally speaking, decided by the officers of the districts in which such disputes originate.

P. 364.

The following long article, by which the responsibility of each individual for the truth of the charges he may bring forward publicly before a magistrate, is, in every imaginable case, precisely determined, seems in great measure to correspond in its object with the laws in force in European countries, against (what is denominated by us) wilful and corrupt perjury.

The Chinese do not specifically punish the breach of an oath, because although frequently introduced into the private investigation and adjustment of disputes, oaths are never required, or even permitted to be taken, in judicial proceedings.

How far the various and seemingly appropriate provisions contained in this book of the code, against bribery in almost every shape in which it can be supposed to assume, are reconcileable with the systematic corruption which, under the less odious name of presents, must be acknowledged to be but too prevalent in the various departments of the administration of public affairs and public justice in China, is not easy to determine.—That flagrant acts, at least, of bribery do not always escape unpunished, appears from a note in the original Chinese, inserted in this place, and containing an abridgment of the official report of the trial of a governor of a city in the province of Pekin; who, in the 33d year of the Emperor *Kien-lung*, appears to have accepted a bribe of 7000 ounces of silver, which had been offered him as an inducement to stop certain proceedings in a case of disorderly conduct and contempt of court; but afterwards to have returned the money, on finding himself unable to accomplish the object for which it was given:—yet, at the close of a detailed investigation of the case, it is stated that he was finally sentenced to suffer death for his original acceptance of the bribe, by being strangled at the usual season.

P. 412.

There is probably no vice to which the Chinese are more generally addicted than that of gaming, but it is, generally speaking, the vice of the lower classes: a certain degree of discredit is attached to every game which depends either partly or wholly on chance, and

between the sharper and the honourable player the line does not seem to be very distinctly drawn; persons therefore in official situations, or who value themselves upon their reputation, are seldom known to engage in play, even within limits or under circumstances, which might be considered to render it perfectly innocent and allowable.

P. 413.

The number of eunuchs employed within the precincts of the Imperial Palace has ever been considerable; and, from the access they must necessarily have at all times to the sovereign, in the capacity of domestic servants, it is not improbable, that they may still continue to exert some degree of undue influence: it does not however appear that they are likely to enjoy under a Tartar dynasty, that exclusive and dangerous confidence, which, while the government was in the hands of princes of a Chinese race, was sometimes reposed in them.

P. 418.

As these (national and historical) representations here described as prohibited, are in fact the favourite and most usual theatrical exhibitions in China, this article of the laws must either be considered to have become obsolete, or to be enforced only so far as may be necessary to confine such exhibitions within the limits approved by government; and which may not be always the same, at different times, and under different circumstances.

P. 431.

Although close imprisonment is not awarded by the Chinese laws, as the ordinary punishment of any specific offence, and is considered in this book of the code, only as far as it is applicable and necessary to the safe custody of accused persons, during the period between their arrest and their conviction or acquittal; and that of condemned persons during the period between their conviction and their execution: yet, in some instances, chiefly those of European missionaries, capitally convicted during occasional persecutions, a sentence of death has been, through the Imperial clemency, commuted for that of imprisonment during a limited period. The most recent instance of this kind is that of an Italian priest of the name of Joakim, who has been released from the prisons of Canton, within the present year (1809), after undergoing three years close confinement; to which he had been sentenced, in consequence of having been unfortunately discovered and apprehended, when on his way to join his brethren in the interior.—It does not appear that he has suffered any very serious hardships; but the report and edict, of which translations are given in the Appendix to the Code, prove, that in the administration of the prisons in China, very enormous abuses have at times been committed.—At the same time, it is but just to observe, that it is not improbable there may be some exaggeration in the sub-viceroy's report of those abuses, which he would naturally picture in strong colours, as an accuser, and also as one to whom the merit was due of the discovery.

P. 491.

A short statement of the charges against the minister of China *Ho-chung-tong*, or more properly *Ho-quen*, and the final adjudication of his sentence, has already appeared in England; but the celebrity of his fate may render acceptable an entire version, as well as justify the introduction in this place of a few observations regarding the history of that extraordinary man.

Although he had long possessed eminent power in the state, it does not appear that the peculiar character and history of this minister had been known in Europe previous to the period of the British embassy.

The powerful influence which he displayed on that occasion soon discovered, that to his talents and authority the disposal of public affairs in China was principally confided; and the disinclination which he was found to have entertained to the British interests, is conceived to have had a principal share in counteracting the views of that expedition.

It is observed in the authentic account of that embassy, that *Ho-chung-tong*, "who enjoyed almost exclusively the confidence of the Emperor, was said to be a Tartar of obscure birth, raised from an inferior station about twenty years before, when, while he was on guard at one of the palace gates, the Emperor passing through it, was struck merely with the comeliness of his countenance; but afterwards finding him to be a man of talents and education, he quickly elevated him

to dignity ; and he might be said to possess, in fact, under the Emperor, the whole power of the empire."

It is subjoined, that " His Imperial Majesty was not, however, blindly guided by his advice, and once on conceiving that he had attempted to impose on his master by a falsehood, he was disgraced as suddenly as he had formerly been raised, and he was reduced to his original low station for about a fortnight; when a fortunate accident having proved to the Sovereign, that there was no real ground for his dissatisfaction, he restored his late servant to his wonted favour, and to a power bounded only by his own."

It would thus seem, that the vigour and wisdom of the Emperor KIEN-LUNG, was, until that time, sufficient to restrain within due bounds of subordination the ambitious spirit and enterprising genius of the favourite; but it is the general opinion in China, that he took advantage of the state of dotage, into which the aged Emperor latterly declined.—This circumstance is, indeed, strongly implied to have been the case, though not directly expressed, out of respect to the memory of KIEN-LUNG, in the articles of accusation which the present Emperor brought forward against *Ho-chung-tong*, almost immediately after His Imperial Parent's demise.

Some of the charges may appear frivolous, and others the mere suggestion of personal enmity; but the presumptive and corroborating evidence arising from the

immense and almost incalculable treasures which he was found, upon an examination of his property, to have amassed, afforded a sufficiently convincing proof of his guilt and corruption. According to a statement that was received as authentic at Canton at the time of the confiscation of his effects, it appears, that besides lands, houses, and other immoveable property to an amazing amount, not less than 80 millions of Chinese ounces of silver, or about 23,330,000*l.* sterling value in bullion or gems, was found in his treasury. This sum, though immense, is not incredible, when the vast extent of the empire is considered, over the various departments of which, he had certainly for many years, a very unusual, and indeed an almost unbounded influence.

A discovery of the real character of the favourite was, however, it seems, for a considerable time prevented by the exertion and display of some estimable as well as splendid talents, for which he was remarkable. It is observed in the account of the British Embassy, that "the manners of *Ho-chung-tong* were not less pleasing than his understanding was penetrating and acute. He seemed, indeed, to possess the qualities of a consummate statesman. He was called to office and authority, no doubt, by the mere favour of the Sovereign, as must be the case in most monarchies; but he was confirmed and maintained in it by the approving voice of such persons of rank and eminence as have influence in the determinations of the most absolute governments. In those governments

in Asia, the prince is not afraid, as is the case in Europe, to debase his dignity by alliances with his subjects; and the number of children of Asiatic monarchs by different wives and concubines, occasion so many matrimonial connections with the crown, that the influence arising from them is counteracted by competition. A tie, however, of this sort, added to power already acquired, increases and secures it. A daughter of the Emperor is married to a son of *Ho-chung-tong*. This circumstance was thought sufficient to alarm some of the Imperial Family, and other loyal subjects of the empire, as if they were fearful of the heights to which the ambition of that favourite might aspire."

The son, who was thus honoured, is likewise included in the sentence of condemnation; but, on account of the connection he had formed with the Imperial Family, he experienced no more than a trifling diminution of rank, and a removal from public affairs, while the other relations of the minister appear to have been prosecuted and disgraced with an almost undistinguishing severity, according to the long established maxim of the Chinese laws, which esteems a degree of criminality to be inherent in all who are in any respect connected or allied with persons guilty of heinous offences.

It was, however, at the same time prescribed to the son to confine himself to the society of his family, that he might have no opportunity of reviving any of the dangerous pretensions of his father, or of executing

any schemes of revenge for the degradation and seclusion to which he had been condemned.

Apprehensions were also at one time entertained, that the views of *Ho-chung-tong*, might lead him to attempt an open revolt, or at least to endeavour to escape from a court, in which, after the death of the late Emperor, he ceased to have any protection, except what his connections and personal resources might afford him. It was probably with the view of defeating such designs, that the new Emperor appointed him to the honourable office of one of the chief superintendants of the mourning on the occasion of his father's decease; as it thus became easy to arrest his person, while engaged in the discharge of a duty which confined him to the palace, and precluded him from taking any measures for his safety, or consulting with or assembling his adherents.

The promptitude and vigour with which the Emperor, almost at the moment of his accession to independent power, struck at the root of a dangerous combination of interests which he had good reasons to suppose secretly menaced his crown and dignity ; and the immediate condemnation to death of this formidable state culprit, together with the punishment or humiliation of all his connections or adherents, while they were yet disconcerted in their projects by the sudden event of the late Emperor's decease, are certainly some proofs of that political courage and sagacity which are requisite in the character of a monarch of great and powerful empire.

P. 515.

The application of the laws of China to the case of British subjects trading to, and residing at Canton, concerning which a reference has already been made, is a subject which might deserve, as well as afford scope for, a distinct treatise. A trade which employs annually, upon an average, upwards of 20,000 tons of English, and 10,000 tons of Indian shipping; which carries off, every year, more than a million sterling in value, of our manufactures and productions; and which alone can supply us with an article so universally in use as to be almost a necessary of life in this country, must, even without estimating how much it contributes to the revenue of the state, as well as to that of the East India Company, be obviously of great national importance.

It is one of the necessary, but embarrassing consequences of the footing upon which foreigners are at present received in China, that they can neither consider themselves as wholly subject to, or as wholly independent of the laws of the country they live in. When unfortunately involved in contentions with the government, there is generally a line, on one side of which submission is disgraceful, and on the other, resistance unjustifiable: but this line being uncertain and undefined, it is not surprising that a want of confidence should sometimes have led to a surrender of just and reasonable privileges; or that at other times, an excess of it should have brought the whole of this valuable trade, and of the property embarked in it, to the brink of destruction.

The plan and limits of this work will not admit of any regular inquiry into a subject of this nature; but the following translations of public and official documents, may contribute in some degree to illustrate the professed sentiments of the Chinese government in this respect, and be found in other points of view, not uninteresting.

1. The first relates to the Portuguese at Macao.—A Chinese had been killed by a Portuguese subject; and the crime having been fully brought home to the murderer, the authority to which he was amenable under the circumstances of the case, was the only question in dispute. In this instance the Portuguese ultimately prevailed, and the culprit was executed by their authority, and within the limits of their jurisdiction.

2. The second is a translation of an edict issued on the occasion of an attempt made by the Russians, to open a trade at Canton, in the year 1806. The Emperor's interdiction did not arrive in time to prevent the departure of the ships with their cargoes, but will probably prove effectual in discouraging similar adventurers in future.

3. The third relates to a small English vessel, which was stranded in the course of the year preceding, upon the coast of China. The crew were saved, and conveyed to Canton by land; but no part of the cargo was ever recovered.

4. The fourth and last, is a translation of an Imperial

Edict issued in the year 1808, and containing the Emperor of China's conclusive and very favourable determination of a question which had previously involved the East India Company's representatives at Canton, in very embarrassing, and for a long time, ineffectual negociations with the provincial government.

The tenor of this edict, and the circumstances under which it is known to have been published, are calculated, it must be acknowledged, to convey more unfavourable ideas of the administration of the laws in the Chinese empire, than almost any other public act of that government upon record. In this case, all the proceedings were founded on a story fabricated for the purpose; a story, in which the Europeans did not concur, though asserted to have done so; which, in fact, either the Chinese magistrates themselves, or the merchants under their influence, invented; which the Chinese witnesses, knowing to be false, adopted; and which, lastly, the sovereign himself appears to have acquiesced in, without examination.

The fact was simply as follows: a number of English seamen had been engaged in a scuffle with the Chinese populace at Canton: in the course of which, one of the natives unluckily received a blow that terminated in his death. The actual perpetrator of the deed not being known, one of the seamen, who had taken an active share in the scuffle, was singled out by the officers of the Chinese government as a proper person to answer for the homicide, and at the same

time, this fictitious account of the affair was concerted in order to justify his acquittal.

In the defence of the Chinese government, as far as its general character may be supposed to be affected by these proceedings, it may be said:

First, that the case in question being considered to have been almost unparalleled, cannot justly be made the ground-work of any general inference.

Secondly, that as the Chinese merchant, who, according to the custom of the port, had undertaken a general responsibility for the ship to which the sailors who had been riotous belonged, is said to have purchased the acquiescence of the parties interested, by a division amongst them of money to the amount of many thousand pounds, it must be admitted, that the witnesses, and other agents on the occasion, were exposed to more than ordinary temptations, and such as could be but seldom held out to persons in their situations in any country, or under any circumstances.

Thirdly, that the facilities which encouraged an attempt at the subornation of the witnesses, and corruption of the judges, were greater, and the danger of detection less, in a case in which a foreigner, than in one in which a native, was the object of the prosecution.

Lastly, that although the falsehood in which so

many persons concurred, was, no doubt, base and criminal in itself, it neither produced, nor was intended to produce, the slightest deviation from substantial justice in respect to the person accused; he was well known to be innocent, or at least unconvicted, of the murder; but the strictness of the laws unfortunately rendered it impossible for the magistrates to ground a verdict of acquittal upon a true statement of the case, without, at the same time, in some degree implicating and condemning themselves; they, therefore, under these difficult circumstances, contrived to do that which was just in itself, though they certainly resorted to means which were far from defensible.

As to the Emperor's acquiescence in an acquittal, founded upon so plausible and well concerted a story, it certainly cannot be fairly considered as any impeachment of the judgment and impartiality of his government.

P. 526.

It has long been a disputed, and is still perhaps to be considered a doubtful question, whether the tenure by which the land is in general held in China, is of the nature of a freehold, and vested in the landholder without limitation or control, or whether the Sovereign is, in fact, the universal and exclusive proprietor of the soil, while the nominal landholder is like the Zemindar in India, no more than the steward or collector of his master. The truth probably lies, in this instance, between the two extremes. It is well known

that several of the merchants who trade with Europeans at Canton have considerable landed possessions, and that they esteem those possessions to be the most secure, if not the most important portion of their property. The missionaries resident at Pekin, under the protection of the court, have likewise their estates in land, granted them by different Emperors, for the support of their establishments. Besides; the ordinary contribution of the landholder to the revenue is supposed not to exceed one-tenth of the produce; a proportion very different from that which is required from the Ryots, or actual cultivators of the soil in India, and which leaves enough in the hands of the landholder, to enable him to reserve a considerable income to himself, after discharging the wages of the labourer, and the interest of the capital employed in the cultivation of his property. It is chiefly upon this income that all the superannuated, superseded, and unemployed officers of the government; all merchants retired from, and no longer engaged in business; all those Tartar families who hold their property in China under a species of feudal vassalage; and, lastly, all farmers and other (not actually labouring) agriculturalists, must be supposed to subsist.—As there are no public funds in China, the purchase of land is the chief, if not the only mode of rendering capital productive with certainty and regularity, and free from the anxiety and risk of commercial adventure.

On the other hand, it must be admitted, that the Penal Code clearly evinces that there are considerable

deductions to be made from the advantages just mentioned; that the proprietorship of the landholder is of a very qualified nature, and subject to a degree of interference and controul on the part of government, not known or endured under the most despotic of the monarchies of Europe. By the LXXVIIIth Section, the proprietor of land seems to be almost entirely restricted from disposing of it by will. By the LXXXVIIIth Section, it appears that the inheritors must share it amongst them in certain established proportions. By the XCth Section, those lands are forfeited, which the proprietors do not register in the public records of government, acknowledging themselves responsible for the payment of taxes upon them. Allotments of lands even appear to be in some cases liable to forfeiture, merely because they are not cultivated when capable of being so. By the XCVth Section, no mortgage is lawful unless the mortgagee actually enters into the possession of the lands, has the produce thereof conveyed to him, and makes himself personally responsible for the payment of all taxes, until the lands are redeemed by the proprietor. It will also be perceived that, except in the case of a lawful mortgage, no person other than the actual proprietor of the land, is allowed to engage for the payment of taxes upon it, and that therefore such engagement is, in some degree, a test of property.

P. 530.

The exorbitance of the interest of three per cent. per mensem, and thirty per cent. per annum, upon

either of which rates, according to this code, a contract for a pecuniary loan may be lawfully made, is a peculiarity in the Chinese laws, which it may be difficult entirely to account for. However, it is by no means to be understood, that the ordinary interest of money, considered strictly as such, in any part of China, ever attains that extent. At Canton, for instance, the rate is generally considered to be from 12 to 18 per cent.; which, although subject to no controul from the laws, does not, it will be perceived, materially exceed, upon an average, the legal rate of 12 per cent. per annum, established by ourselves in British India.

The rate of interest upon a pecuniary loan must, indeed, generally speaking, be influenced by a twofold consideration. Besides what is considered to be strictly equivalent to the advantage arising from the use of the money, the lender must be supposed, in most cases, to receive likewise a certain compensation for the risk to which he exposes his principal. The former consideration will always be limited by, and bear a certain ratio to, the peculiar state and degree of the general prosperity of the country; but the latter can evidently be determined by no rule or proportion, which does not include the consideration of the relative situation and circumstances of the parties interested in the transaction. In England, indeed, where the security of property, and the exclusive rights of individuals are so well understood, and so effectually protected by the laws, it may, in general, be almost as easy to guard

against risk, as to compensate for it. But in China, where the rights connected with property are comparatively vague and undefined, and being distinct from the source of power and influence, are less the object of the law's regard; where, owing to the subdivision of property, there are few great capitalists; and where also there is but little individual confidence, except between relations, who, holding their patrimony in some degree in common, can scarcely be considered as borrowers or lenders in the eye of the law; it is not so surprising that it should be deemed expedient to license, in pecuniary transactions, the insertion of stipulations for very ample interest; and, in point of fact, there is no doubt that the law in this respect, indulgent as it is, is frequently infringed upon.

In a state of things so unfavourable to the accumulation and transfer of property, there cannot at any time be much floating capital; and the value of that capital, as far as it is denoted by the interest which it bears, it is natural to expect, will be high in proportion to its scarcity. In other words, where there are many borrowers and few lenders, and where it forms no part of the system of the government to grant to the former any peculiar degree of protection or encouragement, it seems a necessary consequence, that the latter will both demand and obtain a more than ordinary compensation in return for the use of his property. Trade, therefore, as far as it requires such aid, cannot be so extensively carried on, as it is in those countries, in

which there being more available capital, that capital is procurable at a cheaper rate, and accordingly a smaller return of profit is found adequate to the charges of commercial adventure.

Exclusive of loans made simply on personal security, and those which are made upon landed security, as already noticed under the title "Mortgage," it is a no less frequent practice in China, to lend upon pledges; and accordingly, the shops of money-lenders, where deposits may be made of any kind of personal property, are extremely numerous in all parts of the empire, and, in general, upon a scale of greater respectability than establishments of a similar nature in Europe.

The interest required upon loans thus made is usually from $1\frac{1}{2}$ to 2 per cent. per mensem; whereas that upon landed security, estimated upon an average of the net returns of the land which is pledged or mortgaged, is said not to exceed from 1 to $1\frac{1}{2}$ per cent. per mensem. It is necessary, in this place to observe, that, in converting monthly into annual interest, the Chinese make it a general rule of computation to exclude the first and sixth month of every year, so that 1 per cent. per mensem, is only equivalent to 10 per cent. per annum, and the rest in proportion.

When an article offered in pledge has been valued, and the rate of interest agreed on, a loan is negotiable, on the condition of the pledge being forfeited, unless

redeemed while its estimated value continues to be sufficient to cover both the principal and interest of the sum lent. The subject of this note is very fully discussed in the *Memoires sur les Chinois*, vol. iv. p. 299 to 391.

MISCELLANEOUS.

TRANSLATION OF

The Story of Fan-hy-Cheu;

OR,

"CONJUGAL FIDELITY REWARDED."

Extracted from a Chinese collection of novels, entitled *Tsing-se;* or, "Tales illustrative of the Passions."

(First printed in Akermann's Repository of Arts, &c.)

During the reign of *Kien-yen*, and in the 27th year of the current cycle, *Fan-juy* raised the standard of rebellion at *Kien-chu;* and in consequence of a dreadful famine which then afflicted the country, above an hundred thousand were persuaded to listen to his voice and fight under his banner.

In the course of the following spring, it happened, that the Mandarine *Leu-chung-ye* was appointed from *Quan-see* to the office of collector of the customs at *Foo-cheu*, and he was obliged to pass *Kien-cheu* in his road thither. A party of the rebels intercepted his retinue, and his daughter, *Leu-shy*, a young lady about seventeen, who accompanied him on the journey, unhappily fell into their hands.

At this time, the leader, *Fan-juy*, had a son, named *Fan-hy-cheu*, a young man of good abilities, and about twenty-five years of age. He never had been married, but on seeing the fair captive, who was delicately beautiful, he was smitten with her charms; and learning that her family was noble, he chose a fortunate day, and having received the consent and approbation of his family, she soon became, by all the rites and ceremonies of espousal, his lawful wife.

In the winter of the same year, the emperor sent one of his own sons, the Prince *Han-kuin-vang*, with a great army, to put an end to the rebellion.

On hearing this intelligence, the daughter of the Mandarine *Leu-chung-ye* said to *Fan-hy-cheu*, I have been taught that no virtuous woman can serve two husbands: since we are united by lawful ceremonies, I shall ever owe to you the duties of conjugal obedience and affection. Your city is now almost defenceless, a victorious enemy will soon overcome all resistance; as you are the son of a distinguished leader in the rebellion, your fate seems inevitable: suffer me then now to end my life with this dagger, that I may not live to witness my husband's death.

Fan-hy-cheu, interrupting her, said, It is not from inclination that I am now unhappily a rebel. Though you were unjustly forced away from your noble parents, do not now, by seeking to put an end to your existence, aggravate my crime and my misfortunes. The imperial army, now in the field against us, is from the North; the soldiers are your countrymen: you will understand their language; you may perhaps even meet with your family and friends: live therefore for them and be comforted.

Be assured, she rejoined, that your wife will never submit during life to the embraces of another husband: I fear, however, the brutal violence of the soldiers, and have resolved to die rather than to be dishonoured.

This proof, said *Fan-hy-cheu*, of your faithful attachment to me, shall not prove unrequited, and I here solemnly promse you never to take another partner to my bed.

It happened, indeed, that the imperial general had long known the Mandarine *Leu-chung-ye*, and having halted with his army at *Foo-cheu*, he offered him a command near his own person; and soon after they proceeded together against the

head-quarters of the rebels, at *Kien-cheu*. After a siege of ten days, the town was taken by assault: *Fan-hy-cheu* disappeared in the general confusion; but his wife, the daughter of *Leu-chung-ye*, terrified at the approach of the soldiers, attempted to destroy herself in an interior apartment. Among the foremost was her own father, and he fortunately arrived time enough to prevent the melancholy catastrophe. With care and attention, she was gradually restored to life, and the meeting of the father and daughter was alternately a scene of joy and grief.

After the capture of *Kien-cheu*, the rebellion was easily extinguished, and tranquillity restored throughout the province.

The Mandarine *Leu-chung-ye* thought it a good time to propose a second marriage to his daughter; but no entreaties could prevail on her to comply. What, said he angrily, do you still regret that rebel from whom we have delivered you?—Alas! she answered, although you call him a rebel, he was nevertheless a man of integrity and virtue. After I had the misfortune of being separated from you, I fell into his hands: in the midst of rebels he was distinguished by actions of charity and benevolence. Under the protection of

Heaven, he may possibly be still alive. Let me beseech you, my father, to excuse me from entering into a second marriage, and suffer me, as a dutiful daughter, to wait on my parents at home.

Leu-shy continued with her parents in this manner for several years.

In the 29th of the cycle, *Leu-chung-ye* was promoted to the rank of commander-in-chief at *Fong-cheu;* and soon after, an officer of rank, named *Kiu*, arrived from *Quang-cheou*, with dispatches from that government. *Leu-chung-ye* provided an handsome entertainment for his guest; and after his departure, his daughter accosted him, to enquire who was the stranger that had lately arrived?

It is an officer, said he, with dispatches from *Quang-cheou*.—But his voice and footsteps, added she, remind me strongly of the son of *Fan-juy*, the rebel of *Kien-cheu*.—Do not deceive yourself, said her father smiling; this officer's name is *Kiu*. What connection can there possibly exist between him and the rebel of *Kien-cheu?* *Leu-shy* had nothing to reply to this, and retired in silence.

Half a year had elapsed when the officer *Kiu*

again arrived at *Fong-cheu* upon public business. *Leu-chung-ye* entertained him in the same manner as before. *Leu-shy* hearing of his return, placed herself near a crevice, through which she had a view of what was passing in the outer apartments, and the moment she saw the stranger, was convinced that he could be no other than *Fan-hy-cheu*, her former husband. This she communicated to her father, who accordingly, after the stranger had dined and drank wine with him, entreated that he would confide to him his real history.

The officer *Kiu* blushed, and said, I have to confess that my real name is *Fan*, and that my father, *Fan-juy*, was a noted leader of the revolters, and that I was once myself among them. The rebels were, however, completely defeated by the imperial army; our city submitted to the yellow banner. I made my escape, and knowing that my life was forfeited on account of my revolted family, I changed my name to that of *Kiu*, in order to elude pursuit. Soon after I enlisted in the imperial army at *Yo-chung-heuin*, and we were ordered to take the field against the rebels of the South. We had many engagements, and I fought in the foremost ranks, and endeavoured to distinguish myself against the enemy. My exertions

attracted the attention of our general, and after the province was reduced to tranquillity, and the army disbanded, he determined to reward my services by nominating me second in command at *Ho-cheu;* from thence I rose to the first command, which I afterwards quitted for the situation I now hold under the governor of *Quang-cheou.*

May I further ask, said the Mandarine *Leu-chung-ye*, the name of your lady, and whether you have not entered into a second marriage?

Alas! answered he, weeping, I once was married to a mandarine's daughter, who fell into our hands when I lived in the rebel camp; but the same year that our forces were routed, and our city taken by assault, we were unhappily separated; but, in the hope of living to meet again, we mutually vowed to remain true and faithful to each other.

I since accidentally found my aged mother at *Sin-cheu*, to the care of whom I have constantly devoted my attention, instead of turning my thoughts to marriage, and—here his words were interrupted by his tears.

Leu-chung-ye shed tears of joy and gratitude

at this providential discovery, and hurrying to the inner apartment, he had the happiness of bringing together the husband and wife, who had been so long separated. After some days it was necessary that *Fan-hy-cheu* should return to his station at *Quang-chcou:* but he returned to his father-in-law as soon as the period of his appointment had expired; and the government of *Leu-chung-ye* terminating about the same time, they both fixed their residence at *Sin-cheu*, where *Leu-chung-ye* obtained the office of judge, and *Fan-hy-cheu* that of collector of the customs.

THE MORAL.

Fan-hy-cheu was not justified in revolting, or *Leu-shy* in following him; but their offence was palliated by the natural love of life, and the almost inevitable necessity of the case. Viewing their mutual attachment and fidelity after separation, Heaven had compassion upon them, and brought them again together in the extraordinary manner which has been related.

LETTERS

ON THE SUBJECT OF DR. MORRISON'S CHINESE DICTIONARY,

Inserted in the John Bull Newspaper, June, 1824.

No. 1.*

Sir,

I very well know that your columns are occupied with more piquant materials, than what any thing relating to mere literature, particularly that of remote languages, can supply; yet I venture to trespass upon your indulgence, to request insertion for some remarks on a thing so completely out of the world as Chinese literature. Every person knows the difficulty attendant upon our intercourse with China, a circumstance as much to be deplored in a literary, as in a commercial point of view. Her language contains the most ancient records in the world--records which pass the times of the Pharoahs of Egypt in antiquity; and it is impossible that her immensely voluminous writings do not contain information

* The 1st. and 3d. Letters are not from the pen of the Author of this Volume, and are merely introduced in order to render the replies intelligible.

on some of the most interesting topics which the comparative modernness of our documents cannot aspire to. To look at it in another light we may be pretty certain, though the cautious policy of her governors will not admit us into her interior, yet, that if it were in our power thoroughly to make ourselves masters of their language, their laws, their history, and their sciences, we should be able to judge more correctly of their habits of thought and action, and be better prepared to avoid or to remedy any of those interruptions or inconveniences which our commerce is perpetually suffering in that country.

It may not be unknown to you, Sir, that Dr. Morrison, one of the first linguists in the world, has been for a long period employed on a Dictionary and Encyclopædia of China, the first part of which proceeded with a spirit worthy of so mighty a work; the fostering hand of the East India Company was liberally held forth in its favour—and the literati of Europe were loud in praise of their liberality. With sincere pain, therefore, have I observed, that the latter parts are executed in so hasty and slovenly a style as to be almost useless. I do not blame Dr. Morrison for this. He gives the reason in a tone which must excite the sympathy of every scholar.

" This Dictionary," he says, " has unavoidably been protracted till most of those who were immediately interested in the author and his work have sunk into the grave. I have hurried this part to a close, and I must do the same with what remains unwritten of the first."

Now I must say this is a national stigma. From our dominions in the East, and our paramount intercourse with China, such a work *ought* to come from us, and having embarked in it, it should be so executed as to reflect credit on our literature. This last part of the Chinese Dictionary is so hurried up, and indeed the original plan so altered, that unless its learned author receive the proper encouragement to pursue his own ideas, it may as well be discontinued. How such a consummation is regarded by scholars on the Continent, you may infer by reading what Mr. Abel Remusat, Professor of Chinese and Tartar in the Royal College of France, and a Member of the Institute, and one of the most learned men of our time, says in the last Number of the *Journal des Savans.*

" Si des malheurs privés ont epuisé sa constance *ou si des depenses trop prolongées ont lassé la munificence de la Compagnie des Indes,*

M. Morrison doit deplorer, comme nous, les circonstances indépendantes de sa volonté qui le contraignent à laisser imparfait le magnifique monument, qu'il avoit entrepris, d'elever à la littérature de la Chine; et, de quelque manière que ce soit, les amis de cette littérature auront a regretter de voir ainsi manquer une occasion qui peut ne se représenter jamais."

The India Company, it is said, formerly resolved to devote to this undertaking ten thousand pounds—no more than the expences attendant on the work, which, of course, from its nature, never can be calculated to make money by sale. I hope they will not abandon their intention. If Dr. Morrison is unable to go on alone, let him be provided with proper coadjutors: but let not an opportunity which, as Abel Remusat says, may never again occur, be lost for want of patronage. It is evidently out of the power of any *unpatronized* individual to conduct it.

I own, Sir, that this subject is not very germane to the matter of your usual lucubrations, and I have therefore abstained from urging several considerations more at length, lest I should intrude too much.

I have chosen your paper as the medium of my communication, solely from the perfect certainty I have that if *you* insert it, it *must* meet the eyes of some who will have it in their power to remedy what I cannot but consider as a disgraceful specimen of our apathy, with respect to great and national literary undertakings. Apologizing for this intrusion, I am, Sir, your most obedient and very humble servant,

SINENSIS.

Middle Temple, May 26, 1824.

LETTER II.

SIR,

As you have inserted in your last number a letter upon Chinese Literature, which, at the same time, contains a grave and most unfounded attack upon the East India Company, I feel confident that your impartiality and sense of justice will induce you to give a place to the few following remarks in reply.

So far from the East India Company having, as your correspondent *Sinensis* insinuates, exhibited in the case of DR. MORRISON'S Chinese Dictionary, "a disgraceful specimen of our apathy, with respect to great and national literary under-

takings," I have no hesitation in asserting that their munificent patronage of that work is one of the most splendid instances of liberal support to the cause of literature which has been ever witnessed in any age or country.

The whole expense of this undertaking, far exceeding, I believe, ten thousand pounds, has been defrayed by the East India company. A printer, with a press, and a suitable collection of English types, was sent out to Canton, specially for this object. The Chinese portion of the types required for the work were obtained in China, under the authority and sanction of the Company's servants, though at a considerable risk of disturbance to their commercial affairs; as the provincial government of Canton shewed itself decidedly hostile to the undertaking.

It is to be added, that Dr. Morrison was subjected to no *limitations or restrictions* as to the mode of conducting the work; and that, in addition to the salary which he enjoyed at the time as Interpreter, he was presented by the East India Company with 650 out of the 750 copies which were printed, for the express purpose of his disposing of them for his private emolument and advantage.

Dr. Morrison, for the reasons which he has given, deemed it expedient, towards the close of his work, very much to contract his plan; for which change he, and he alone, is responsible. He never intended to insinuate the contrary, and is too just and honourable a man to wish to shelter himself from criticism by imputing this spontaneous act of his own, to coldness or defect of patronage on the part of his liberal employers.

I most heartily concur in every thing that *Sinensis* says in praise of Dr. Morrison. He is certainly a most meritorious individual; and it is for that very reason that the patronage he has received from the East India Company does so much honour to that much traduced body. I regret with *Sinensis* that any circumstances should have prevented him from persevering to the conclusion of his work, according to his original plan, which was that of rendering it a sort of encyclopædia as well as dictionary; but I am thankful for what he has given us, and consider the charge of the style being "so hasty and slovenly as to render the latter part almost useless" to be equally strange and unmerited.

M. Remusat, of Paris, whom *Sinensis* quotes in justification of this remark, is certainly the last

person who ought to have made such an attack, as the greater conciseness of the concluding volume of the Dictionary is an exact compliance with his own suggestions when criticising the former ones. He then complained that Dr. Morrison "n'a pas toujours gardé la mésure necessaire; de sorte qu'il semble quelquefois avoir oublié qu'il composoit un Dictionnaire; et qu'il a depassé dans plusieurs articles les limites qu'il auroit dû leur assigner."

I regret to find, from your comment on the letter of *Sinensis*, that you seem to give some credit to the audacious falsehoods respecting the Company and their servants abroad, which have lately appeared in the Edinburgh Review. If you will consult the numbers of the Asiatic Journal for April and June you will find that these calumnies have been amply and conclusively refuted.—I am, Sir, your obedient Servant,

A Constant Reader.

London, June 7, 1824.

LETTER III.

Sir,

"*A Constant Reader*" has mistaken my meaning, if he thinks that I intended to make any

severe attack on the East India Company. I only wished to express my regret that Dr. Morrison's Chinese Dictionary was so materially changed in plan as to render it comparatively useless.

That Doctor Morrison himself *indirectly* complains of neglect, is evident from the passage I have quoted from his preface ; the passage, I mean, in which he complains, that those who took an interest in the author or his work had sunk into the grave. The Doctor of course would not venture on any *direct* complaint, and I am willing to suppose that the East India Company has executed its part of the *bond* so as to render such not perfectly tenable. But this is evident, that the work which they pledged themselves to patronize, is, by its author's avowal, "hurried," and that, from a failure of patronage. It is of this I complain. It is very possible that they may have executed all that they promised to do. But having once commenced the work, they had a right to see it properly executed ; and they should not rest satisfied with sticking to the letter of their contract, but afford *such* support to the undertaking as would have conducted it to the end as excellently as it had begun.

Your columns, Sir, will not admit criticisms on

Chinese learning, and I therefore must decline pointing out the glaring defects of the third part of the Dictionary—defects arising from the "hurried" manner in which it was composed. If your "Constant Reader" be a Chinese scholar, I beg leave to refer him to the materially important keys of the "heart" and the "hand"—which comprise all the expressions for the feelings, thoughts, mental actions or passions, manual operations, &c. —to those of the "sun," "moon," "water," "fire," &c. &c., which he will find to be nothing but that which ABEL REMUSAT most truly calls "une sèche et stérile nomenclature, privée de toute intéret et presque entierèment dépourvue d'utilité." With the inconsistent criticism of this learned man, in formerly complaining of the excessive interpretation of DR. M. I have nothing to do—perhaps he might have been right; but at all events, diffuseness in a Lexicon is a much more pardonable and more curable fault than barren brevity.

I repeat, that I am not *accusing* the East India Company, I am only regretting, that they, to whom we look for the proper execution of this work, should have, on any account, permitted it to suffer. If the patronage they have hitherto afforded, even though it may go to the full extent of what they promised, or even beyond it, be insufficient,

let them extend it. If Dr. Morrison is unable to do the business properly, with the assistants he has, let their number be increased: if the funds, originally thought sufficient, are not so, let them be enlarged. Depend upon it, such a work ought to come from them, and, if it comes, it should come properly.—I have the honour to be, Sir your humble Servant,

Sinensis.

June 10, *Middle Temple.*

LETTER IV.

Sir,

I am extremely sorry to be obliged once more to intrude upon your columns, upon the subject of Dr. Morrison's "Chinese Dictionary;" but as your correspondent Sinensis, although he disclaims any intention of making a *severe* attack on the East India Company, still persists in imputing to them a culpable failure of patronage, it is necessary for me to be somewhat more explicit.

The patronage of the East India Company has been, in this case, without stint or limitation of any kind—an absolute *carte blanche* in the hands of Dr. Morrison, empowering him to execute

his undertaking, at the expence of the Company, in as copious and diffuse a manner as he might think proper. It is difficult to imagine what more SINENSIS would desire. Does he wish the East India Directors to set themselves up as critics; and because DR. MORRISON (confessedly the first Chinese scholar in Europe) has changed his plan, are they immediately to condemn and dismiss him from the work, and transfer their patronage to some one else?

When SINENSIS imputes to DR. MORRISON an indirect complaint of neglect, he is guilty of a strange and unaccountable perversion of his meaning. He distinctly says, that he has hurried his work to a close, because those who took an interest in it have sunk into the grave;—obviously alluding thereby, to the severe domestic affliction which befel him in China, and to the consequent discouragement and depression of spirits under which the concluding part of his task remained to be completed.

If I were to attempt to discuss the *literary* branch of this question, I should unavoidably trespass a great deal too largely upon your indulgence; I will propose, therefore, to SINENSIS, a compromise. I am perfectly ready to concur with

him, in lamenting that this great work has not been completed upon the same extensive scale as that upon which it was commenced; and I trust he will be equally ready to agree with me, in pronouncing it to be, taken altogether, a work of very considerable merit, a highly important acquisition to the Chinese student, and a most undeniable evidence of the wonderful skill and proficiency of its distinguished author, in the difficult and curious language which he has undertaken to illustrate.

It is also to be recollected, that this was not the only, nor even the chief object of Dr. Morrison's Chinese pursuits;—that he was at the same time engaged in arduous negociations with the Chinese Mandarins, in his capacity of interpreter and translator to the East India Company; and, above all, in completing (what was the great and primary purpose of his visit to China) an entire version into the Chinese language of the Holy Scriptures; which great and important work he has now happily accomplished, and has had the honour, very lately, of presenting a copy of it to his Majesty.—I am, Sir, &c.

A Constant Reader.

June 30, 1824.

LETTERS

ON

THE CHINA TRADE.

In reply to certain strictures on the conduct of it, which appeared in the Edinburgh Review and Oriental Herald.

(Originally inserted in the Asiatic Journal, for April and June, 1824.

LETTER I.

SIR,

An attack has been made upon the East India Company's China monopoly, in an article in the last number of the Edinburgh Review, containing little that is new in point of argument, but quite unprecedented, I believe, in the violence of its invectives.

It repeats the twice-refuted tale of the extraordinary expensiveness and extravagance of the Company's establishment at Canton; and then, on hardly any other foundation than the supposed result of a comparison between certain price-currents of teas sold in the markets of the Continent

and America, and those given in the official accounts of the Company's sales in Leadenhall Street, at once charges the Court of East India Directors with "unparalleled rapacity," "scandalous imposition," "bare-faced robbery," and the "plunder of their fellow-citizens."

From the above specimen, it is easy to judge of the *tone* and *temper* in which the accusation is made. Language such as this was employed, and no doubt with considerable success, in exciting the public indignation against the supposed delinquencies of certain of the company's servants in India, some thirty years ago: but really, in the present day, and when applied to the public proceedings of public bodies in this country, it is little else than ridiculous, and with every unprejudiced mind must weaken the cause it is intended to support. Like overstrained arguments which overshoot the mark they aim at, such language, by attempting to prove too much, proves nothing.

Nevertheless it must be confessed that the arithmetical statements which are the pretext for these high-sounding charges, deserve some examination. The conclusion which the reviewer draws—that the public in England actually pay (exclusive of the tax) about two millions sterling more for the

tea which they consume, than they would do if the trade were free—is, no doubt, if the fact be so, a serious national grievance. It is, therefore, undoubtedly of some importance to ascertain in what manner this extraordinary assertion is attempted to be substantiated.

Of this supposed grievance the chief burthen (more than two thirds of the whole amount) is stated to be sustained on the article of *congo;* and in order to prove the comparatively high price in London of this species of tea, a New York price-current of the year 1823 is quoted, in which congo tea appears to have sold in that market, on an average rate, at $7\frac{1}{2}d.$ per lb. English money, just $1d.$ less per lb. than bohea tea at the same time and place.

Now every person, who is in the least degree acquainted with the subject, knows that the tea which the English dealers denominate *congo*, is a species far superior in quality to that denominated *bohea;* and every person who has ever been concerned in the tea trade in China knows equally well, that genuine congo tea costs in the Canton market, on an average, at least *twice* as much as the pretended congo of the American price-current is stated to have fetched in the market of New York.

Nothing can be more evident, therefore, than that this American congo is a tea of a totally different quality from that which we consume under the same denomination in England, and that, consequently, the *cheapness* of the former, is no proof whatever of the *dearness* of the latter: we might as well contrast the low prices of *Bristol* or *Irish* diamonds in the Palais Royal at Paris, with the high prices asked for *real* diamonds in Bond Street, and then impute the difference to the extortion and "unparalleled rapacity" of our London jewellers.

In fact, the lowness of the prices of teas in the markets of the Continent and America, compared with those teas of the same denomination in England, is precisely what was to have been expected. It would have reflected little credit on the discrimination of the servants of the Company in China if this had been otherwise. It is notorious that they have the refusal of all, or nearly all, the teas, especially congoes, which are brought to market at Canton; and it would certainly have been somewhat extraordinary if the teas which they had been at the pains of selecting for their employers, did not, after all, prove better, and sell at higher prices than those which they had left in the market.

The fact, indeed, of the great superiority of the teas sold in the British market has never been denied; but the Reviewer has found it convenient entirely to overlook it on the present occasion, for the sake of his argument. The following admission on the subject, by one of the most decided opponents of the monopoly, taken from the report of his evidence before the committee of the House of Commons on Foreign trade, is pretty conclusive.

"The East India Company are, at present, almost the sole purchasers of genuine good teas at Canton; what the Americans take are mostly *old teas, or of inferior quality;* and the same may be said with regard to ships of continental Europe." P. 287.

Having thus pretty well disposed of the main charge against the East India Company, and the Directors, it remains to say a few words in vindication of their servants in China.

It is alleged that the supracargoes receive very large fixed salaries in addition to a commission estimated to produce upon an average about £125,000 a year, besides the free enjoyment of a luxurious table: and all this for only doing a

duty similar to that which is infinitely better done for the Americans by a Consul with a salary of £200 a year.

First; with respect to their emoluments. The Supracargoes have no fixed salaries, and the commission divided amongst them amounts upon an average to little more than *half* the amount stated; and their "luxurious table" is neither more nor less than an *Ordinary*, provided chiefly for the use of the guests who have an official claim to be invited to it, and in no essential respect better than the private tables of the captains of ships, except that it is, of course, upon a larger scale.

Secondly; with respect to the duties to be performed. These have been already described very much at large in a work, from which it will be sufficient to quote that the Supracargoes are "entrusted with the sale of the imported, and the purchase of the exported cargoes of twenty or thirty ships of the largest class, with all the details of loading and unloading; the examination, selection, and appropriation of the goods; the adjustment of loans, bills, exchanges, and treasury accounts, with other matters of finance, such as commerce on so large a scale must require: with

an extensive correspondence with the several Presidencies of India, from each of which they receive considerable annual consignments; besides a much more frequent and voluminous correspondence with their principals at home; with all the requisite diaries, ledgers, books of accounts, and other records connected therewith, registered in duplicate and triplicate, on account of the risk of loss in the course of their transmission home; and all this in a minuteness of detail, certainly not very usual, but which the East India Company, in their jealous anxiety to insure a proper discharge of a trust executed at so great a distance, deem it expedient to require."

To the above summary must be added "the previous contracts and other arrangements that precede the arrival of the ships, the local difficulties of a commercial nature which are occasionally to be contended with; the superintendance of the affairs of such Chinese merchants as happen to fall into a state of embarrassment or insolvency; the regulation and superintendance of the shipping of the Company while at the port of Canton;" and, though last, not least, "their official intercourse, direct or indirect, verbal or by letter, with the Chinese Provincial Government," to which *official intercourse*, almost every privilege which,

by connivance or express concession, the trade (American as well as English) at present enjoys, may in fact be attributed; instead of its being left, as it otherwise must have been, "at the mercy of the interested combinations of a few privileged Hong merchants, and of the unchecked violence and rapacity of a corrupt magistracy 1,500 miles from the seat of the capital."

When the above facts are considered, and are too notorious to be denied, I think the comparison which has been drawn between the duties of the *Supracargoes* and those which fall to the lot of the *American Consul*, whose office is little more than nominal, and generally performed by some of the private agents in China, with little or no salary, for the sake of the *name*, may safely be left to the contempt and ridicule it merits.

Having thus, I hope successfully, vindicated the Supracargoes from the charge of deriving excessive emoluments from sinecure places, little else need be said respecting them; for the Reviewers themselves distinctly disclaim any intention of insinuating any thing to their *personal* prejudice. The following passage is taken from another article of the same Review: "It is needless, we hope, to say that nothing can be farther

from our intention than to insinuate any thing whatever to the personal prejudice of the gentlemen of the factory in China. Some of them, we know, are persons of the greatest talent and respectability; and all of them, we believe, too good for their employment." No. 58, p. 440.

Considering what the employment of the Supracargoes really is, this is certainly high praise. The Appendix to the Report of the Committee of Foreign Trade of the House of Commons, furnishes us with a similar testimony in their favour, from an eye-witness, and (it might be supposed) a hostile one, as he was a strenuous advocate for a free trade. He was accordingly asked by the Committee whether he had not seen "some laxity or inattention to business on the part of the Company's servants;" but he was too honest and candid to attempt to bolster up a false theory by means of a personal calumny, and immediately replied, "NO, CERTAINLY NOT." P. 279.

I cannot conclude this letter without contrasting the proceedings of the English and Americans at Canton in cases of homicide. Let us consider, on the one hand, "the disinterested, fearless, and (in every instance for these last thirty years) successful exertion of the Supracargoes in protecting

British subjects who may happen to become the innocent and unhappy object of unsubstantiated and unproved charges, and thus preventing them from falling victims to the unprincipled and undistinguishing severity of Chinese law;" and then see, on the other, the miserable and humiliating sacrifices of life and honour to which the unhappy Americans (in their disunited state, under what is called a free trade) are compelled to submit. I think we shall want no other testimony of the superior excellence of that system which not only places our trade in honourable hands, but which strengthens those hands with the influence which accomplishes these beneficial and important purposes.

I am, Sir, &c.

AMICUS.

March 11, 1824.

LETTER II.

SIR,

As you were so obliging as to allow a place in your Journal to a letter from me on the China Trade, in reply to certain strictures upon it contained in a late number of the Edinburgh Review, I trust you will also permit me to trouble

you with the few following observations on the same subject; which I find are called for by a somewhat extraordinary comment on my letter, which appeared some weeks ago, but which I never saw or heard of until this morning.

It is there assumed, in the first place, that my letter proceeded in fact from the Court of Directors. To this I reply, that so far from proceeding from the Directors, it was written without the least previous communication with them, jointly or individually; without any view either to their approbation or disapprobation; and solely for the promotion of TRUTH; being anxious to contribute my mite to prevent the people of this country from being misled by false theories and statements, and induced to favour innovations, which if adopted would, I am confident, most seriously injure, if not totally destroy, this most valuable branch of our eastern commerce.

It accordingly follows that, whether the facts I have stated are true or false, whether the arguments I have employed are sound or unsound, the Court of Directors are wholly uncommitted by them—none but the author is or can be responsible.

Having stated thus much, the next allegation,

that I have attempted to answer only *two* out of the many charges brought forward by the Edinburgh Reviewers, is easily disposed of. Had the Directors considered it expedient to take the field themselves on the present occasion, their reply would no doubt have embraced every branch of the subject, and have included every one of the charges against them and the Company; but when an uninterested individual steps forward in their defence, it is but just and natural that *he* should confine himself to those points with which he is most conversant; and it is surely more to his credit that he should do so, than that he should attempt to give to the public, at *second-hand*, that branch of their vindication which he is aware many other persons are much better qualified than himself to afford.

Upon this principle I have certainly passed over *sub silentio* the charge of "trampling upon Acts of Parliament." I can only say that, if the Court of Directors shall be found guilty of this offence, I shall be the last man to support them in it. I am certainly a decided advocate for the China monopoly, *as by law established;* but abuses of the monopoly against law, or violations of the conditions on which it is granted, should any such exist, which, however, I neither admit nor believe,

I shall by no means attempt to defend. I advocate the monopoly, not as an approver of monopolies generally, nor even for the sake of the East India Company, (whatever claims it may have to the gratitude of the country for the vast and splendid addition to our empire which has been acquired and consolidated under its auspices,) but solely because I conscientiously believe that, under the special circumstances of the case, the preservation of this monopoly in their hands is essential to the real interests of the country at large.

But although it is true that I have only undertaken to discuss two points of the argument, they are *cardinal* points: they are the points upon which the whole question *hinges*. For if I have proved that the argument founded on a comparison between the prices of tea at New York and in London is untenable, what becomes of the conclusion drawn from it, that the nation is annually plundered of more than two millions sterling through the operation of this monopoly! This is the great imputed grievance: the other allegations are merely subordinate, and chiefly arise out of attempts to explain or account for it.

Now I have proved from their own statements, that with respect to the leading article of *congo*,

two thirds of the whole, the argument is a mere fallacy. I have shewn that the article sold at New York under the name of congo was in fact *an inferior sort of bohea*, and I have proved this by the fact of its having, according to their own statements, sold for *less than bohea* in the same New York market (not *London* market, as the writer by a strange misrepresentation of the argument has chosen to insinuate.) In corroboration of the fact of this tea being bohea instead of congo, I have stated that the Americans are obliged to pay twice as much for real genuine congo at Canton as this pretended congo was sold for in America; and this statement remains uncontradicted. It is perfectly evident, therefore, that all inferences drawn from such comparisons as these, are perfectly nugatory. Tea may, after all, be dearer in England than in America; but the fact, if it be one, still remains to be proved.

The next point in my letter which has been contested, is my estimate of the duties and emoluments of the supracargoes. On this subject the materials of vindication are ample; and I will now enter upon them somewhat more at large than I before thought necessary; but let it be remembered, that, unless the *former* assertion, namely, the extravagantly high price in England of tea,

can be satisfactorily made out, this *latter* question does not signify one farthing to the country at large. If the nation is well supplied with tea at fair prices, it is not likely to trouble itself very much about the *mode* in which this is accomplished.

First, with respect to the emoluments; my assertion that the supracargoes have no fixed salaries, has not been contradicted; but the false estimate of the amount of their commission has been reasserted. I find, upon further inquiry, that I have rather *over-stated* the amount, instead of understating it; but it is waste of time to argue the matter further now, as I find that these accounts have been moved for, and are upon the point of being laid before Parliament. It is only by official documents thus officially produced that calumnies like these can be put down effectually.

I understand that these accounts will *prove* that the whole expenses of our China establishment, including charges of every description, do not exceed *three pounds per cent. on the trade.* This charge every one must admit to be surprisingly small; below, I believe, that of any private agency whatever of a similar nature, and amounting to such a complete disproof of the al-

leged extravagance of the establishment, as to render an examination into minor details of comparatively little consequence.

That I may not, however, appear to evade the discussion, I will add a few remarks upon each of the alleged instances of mismanagement.

First, as to the supracargoes being permitted to enjoy full allowances whilst absent from their station on leave. If the supracargoes were paid by fixed salaries, there might have been something in the argument, but as their emoluments consist wholly of a certain per-centage on the trade, it matters little either to the country or the Company (so that the business is properly done) in what proportions that per-centage is divided; nor is it in fact of much consequence even to the supracargoes themselves, as the advantage, whatever it is, is enjoyed by each of them in succession.

It seems most probable that the severe and peculiar privations attending a long residence in China, and the advantage which has been found to arise from an occasional personal communication with their servants there, have led the Directors to favor their occasional return to Europe, in a greater degree than in the case of their ser-

vants in India. While by their residence in China, their local knowledge and experience is matured, by these occasional visits to England the spirit and feelings of Englishmen are renewed and invigorated.

Secondly; with respect to the insinuation that one of the individuals on the establishment is not in a state of health to be able to perform the duties of his station.—Whether this be so or not, I certainly shall not undertake to examine; but if it be so, it is a visitation of Providence, for which it is surely rather hard to make the monopoly responsible: and as to his enjoying his emoluments under such circumstances, it is a hardship on his colleagues, who receive so much less out of the common fund in consequence, but it can be no act of extravagance on the part of the Company, as not one shilling more is thereby taken out of the public purse.

Thirdly; as to the public table. This is really too contemptible a subject to argue upon. No person of common sense will deny the propriety and necessity of a public table being kept up by the Company in China: but as to *luxury*, I reassert that this table is in no essential respect superior to the private tables of the Captains of the

Indiamen: there may, indeed, be *display*, as now and then at a tavern dinner; but *luxury* is out of the question at a *public* table.

Lastly; it is asserted that some one individual in the factory now draws a salary of £10,000 per annum. I must premise that I believe this to be a very considerable exaggeration in the case alluded to: but admitting it to be true, generally speaking, that considerable allowances are enjoyed by the supracargoes towards the *close* of their residence in China, this is more than counterbalanced by the fact, which I know to be true, of their serving there, in many instances, during the first ten or twelve years, for little or nothing.

The fact is, that the supracargoes do not finally return to England until after a period of from twenty to twenty-five years' service, and then barely realize a sufficient fortune to maintain themselves in the same rank of society with the retired servants of the Company, of the same standing, from India. If, therefore, the servants of the Company in China are overpaid, so must be also their servants in India in a far higher degree; for *they* do not submit to the same sacrifice—they *do* enjoy, in the midst of their labours, some of the luxuries of civilized society: *their* banishment is not

without some comforts and alleviations to compensate for it.

I next come to the *duties* of the supracargoes. It is amusing to see the manner in which this writer deals with this part of the subject. My account of their duties was abridged from a published work on the China trade. It is, he says, a *flaming* statement, which cannot be abridged; yet he *does* abridge it; that is, he leaves out all those branches of their duty which are peculiar to their situation as a factory in China. Their ordinary and strictly commercial duties, which he does enumerate, he says are no more than what are performed by the clerks of an English counting-house. This is far from correct in various respects, yet there is certainly some analogy between the cases: and if we sum up the labours of the partners, and the confidential and inferior clerks, of some ten or twelve counting-houses in London, the sum total will certainly give us some idea of what the supracargoes have to do in this branch of their duty. Even this will shew that they have no *sinecure;* but if this were *all*, I do admit that such duties as these might possibly be performed by a somewhat lower class of public functionaries: but the misfortune is, that there neither are, nor can be, in China, any "inferior

agents or understrappers," as is pretended, to perform all this drudgery. The very peculiar and precarious tenure of our connexion with China is such, that the residence there of persons of inferior responsibility and trustworthiness can by no means be permitted. This drudgery must all be accordingly performed by persons destined for higher things; by persons who either are, or are soon to be, entrusted with the administration of millions of capital; with the supreme control over thousands of British subjects who, as merchants, officers, and sailors, frequent the port of Canton from Europe and India; and with the direction of the most difficult and delicate negociations, in cases of the highest emergency, with a most sagacious and singular people, and with the most jealous, arbitrary, and despotic government on the face of the globe.

If it were not trespassing too largely upon your limits, I could easily shew you how every privilege which, by connivance or express concession, the trade, whether English or American, at present enjoys, is directly attributable to the exertions of our supracargoes; I will, however, venture to quote one instance of great importance.

In 1814 the Chinese Provincial Government,

instigated by some interested individuals among the Hong merchants, proposed, and even obtained the Emperor's sanction to some changes in the Chinese system of trade at Canton, of the most important nature. Among other innovations, the number of privileged Hong merchants was to have been reduced to *three*, and these three so closely associated together as to render any division amongst them, with a view to competition, or any other object in which the interests of foreigners were concerned, utterly hopeless.

This scheme, which, upon a moderate calculation, would have raised the prices of Chinese produce, and depressed those of European manufactures, some thirty or forty per cent. the supracargoes, by a series of deliberate and well-chosen measures, finally succeeded in subverting, a few months previous to the arrival of Lord Amherst's embassy.

If this great public service had been performed by the instrumentality of his Lordship, the whole country would have rung with applause; but because it was accomplished silently, and without any *éclat*, by functionaries bearing the humble designation of *supracargoes*, few in England have even heard of it beside those whose duty led them

to peruse the details upon the records of the East-India Company. It is no disparagement to his Lordship to say, that this was a service wholly out of *his* competence to perform: still less could a British Consul at Canton have performed it. Such an officer, in the present state of things, would be absolutely a cypher, a mere object of derision.

Force, in China, is of course out of the question. It is by *influence* only, that injustice or oppression of any kind can be effectually resisted. I do not mean the influence of *bribery:* it is a very common, but a very gross error, to suppose that *that* is the species of influence which the Company's servants have generally recourse to with the Chinese. However efficient it may prove between Chinese and Chinese, it is an engine of power which foreigners can very rarely meddle with in safety. I here mean that legitimate influence arising from the possession of the supreme control over commercial transactions of such immense magnitude. By the judicious distribution, and (in extreme cases) the occasional suspension of this commerce, the most important concessions have been extorted, and the most threatening dangers averted. It is an influence which the supracargoes possess, and they alone. A mere consul, having neither goods to deliver nor receive, would be

thought less of in China than the agent of a private ship.

One merit, however, the opponents of the supracargoes have conceded to them, that of " having succeeded in their exertions for the protection of British subjects from the unprincipled and undistinguishing severity of the Chinese laws."

This is gratifying; and, considering that it has been accomplished by persons whom this writer has denominated " twelve idiots," is somewhat surprising: especially as the more fortunate Americans, who are said to have " one man of sense as a consul," were, nevertheless, obliged just before to submit to the infamy of surrendering an innocent seaman of one of their ships to the Chinese bow-string!

But there is *one offence*, at least, of which all the supracargoes are supposed to be undeniably guilty, that of being the sons or near relatives of the Directors. Let us then take up the list of the establishment, and see how even this part of the charge is made out.

At the head is Sir James Urmston, the gentle-

man whose distinguished services in China, in adjusting the unfortunate dispute with the Chinese government relative to his Majesty's ship Topaze, have been recently rewarded by his Majesty, with the honour of knighthood, conferred by *patent*, which honour *so conferred*, is a mark of royal favour that has not been granted more than four or five times in the course of the last half-century. Is this gentleman the son or near relation of a Director?

The gentleman whom the Court of Directors have appointed to succeed Sir James in the chief-ship, is Sir Wm. Fraser, Bart. Is he the son or near relation of a Director? It is really tiresome to follow out these misrepresentations in all their details. No doubt several of the members of the factory are sons or near relatives of the Directors. It is certainly a new doctrine that this relationship should be a *disqualification* for serving the Company. If education and early habits are accounted any thing, it ought to be rather a presumption in their favour: but blind favouritism, if not absolute corrupt partiality, having been insinuated, it is of some importance to be able to shew, as I have done, that the manner in which those posts in the factory are filled, which have never been left to seniority, but always have been the object of *selec-*

tion, is, *of itself*, a direct evidence of the contrary.

The writer whose remarks I have been examining, has further asserted that the monopoly of tea injures our woollen manufactures, and that the abolition of the supracargoes would reduce the price of tea. As this is mere assertion, it may be sufficient to meet it with an unqualified denial: but I may possibly resume the subject at some future opportunity.

I am, Sir,
Your most obedient Servant,

AMICUS.

London, May 11, 1824.

EXTRACT

FROM THE

MINUTES OF EVIDENCE

TAKEN BEFORE

THE LORDS COMMITTEE

Appointed to take into consideration so much of the Speech of His Royal Highness the Prince Regent, as relates to the Charter of the

EAST INDIA COMPANY,

IN 1813.

THE EXAMINATION OF SIR GEO. THOS. STAUNTON, BART.

(By Counsel.) I believe you are a supracargo in the service of the East India Company?—Yes.

How long have you been in the service of the East India Company?—Fifteen years.

I believe you accompanied Lord Macartney's Embassy to Pekin?—Yes.

Do you understand the Chinese language?—Yes.

Have you had an opportunity, from understanding the language, and having considerable commerce with that people, of becoming better acquainted than most Europeans are with their character and habits?—I should think that a knowledge of the languages may possibly give me some advantages over other Europeans in those respects.

Are you also well acquainted with the commerce of China?—Not more than other gentlemen residing there; but I conceive myself to have a competent knowledge of the commerce of China.

Can you state from your knowledge of the Chinese, whether or not they are extremely jealous and suspicious of strangers?—I should consider that they are extremely jealous and suspicious of strangers.

Can you state to the committee any principle of government or subordination which is entertained generally by the Chinese, that renders them peculiarly averse to casual and unconnected trading adventurers?—I should conceive that the

principle of responsibility, which is exacted from all persons under that government, would render them extremely averse to a trade carried on without an efficient controul.

Will you state to the committee to what extent that principle of responsibility acts under the government of China?—In every situation under that government, both of a public and of a private nature, the master of a family is responsible for the inmates of that family, the father of his children, the magistrate for the inhabitants of his district.

In consequence of that principle, does it not appear to you that the Chinese would consider casual and unconnected trading adventurers as in a complete state of disorder and anarchy?—They would judge of them, I should imagine, according to their conduct.

Judging by the conduct of casual and unconnected traders, can you state what regulations have been enacted in China in former times to restrain such adventurers?—The trade at Canton is limited to a certain number of persons, who are called Hong merchants, and who are required to be responsible for all foreigners who frequent that

port; and they are limited to one particular district in that country.

Are they not also prohibited from residence?—They are only allowed to reside while ships are in the port.

Were not also the ships disarmed upon their arrival?—I understand that that was the practice, but not so within my memory.

Were they not prohibited from any general intercourse with the natives?—They were.

In the actual state of things, have not those severe laws been modified in practice, and in what manner?—They have been certainly modified considerably in practice, so as to render them less oppressive and less burdensome to strangers.

I believe now the ships are not disarmed?—They are not.

And more intercourse is allowed than formerly? A greater intercourse is tolerated.

Have not actual advances been made at Canton to a direct and confidential intercourse with the

servants of the East India Company?—There have been such advances in a late instance.

Is it your opinion that the general causes of the suspicion and jealousy of the Chinese, with respect to strangers, have been diminished or decreased?—As far as concerns their character I conceive it is diminished, as far as concerns their power I conceive it is increased.

In your opinion, does that jealousy and suspicion of the Chinese people which you have stated, expose our commerce with China to a considerable danger?—It is certainly extremely precarious.

Can you state any instances of the actual exclusion of any nation generally from the ports of China, or from particular ports of China at this time?—I understand that the ships of Russia are excluded from all the ports of China, and the English nation is certainly excluded from the port of Chusan, where it was formerly admitted.

Can you state whether such exclusions have taken place in consequence of slight or great provocations?—I am not acquainted with the causes of the English being excluded from the port of

Chusan, but I have understood that there was no adequate provocation.

Do you know the cause of the exclusion of the Russians from the Chinese ports generally?—I understood it was in consequence of their already enjoying the privilege of trading by land with China.

Do you think the Chinese consider their trade with us as of any great consequence to the prosperity of their country generally?—They do not profess to consider it so.

In your opinion what have been the causes that have so much ameliorated the condition of the traders to China?—The regulations and general system under which that trade has been carried on, and the superior opinion the Chinese entertain of the character of foreigners on being better acquainted with them.

Do you think that the conduct of the East India Company's servants has been one of the principal causes, if not the principal cause, of of such general amelioration in the condition of traders to China?—I think the conduct of the Company's servants, and the system under which

they have acted, is the principal, or one of the principal causes.

Does it fall within your knowledge that the measures and conduct of the Company's servants at Canton have gained them the respect and esteem and confidence of the Chinese?—I should think it has in a great measure, comparatively speaking, with their opinion of foreigners generally.

Has not the unimpeachable good faith of the Company's servants contributed greatly to that effect?—I should certainly think so.

Have not the beneficial effects of the Company's high character in China extended not only to their own officers and licenced British traders, but also to other foreigners, and particularly to the Americans?—I am of opinion that it has.

Will you state in what manner you think that has been effected?—Because (among other reasons) it has induced the Chinese to allow a considerable relaxation in the restrictions upon the trade generally.

Are you of opinion that at this time the cha-

racter of the Americans stands equally high in China with respect to honour and probity with that of the Company?—Certainly not.

Are you of opinion that the power of the Company contributes as well to their honour and probity as to the high respect entertained for them by the Chinese?—I should think that the power and influence of the Company have contributed to the respect that is paid them by the Chinese.

Are you of opinion that the Chinese trade is capable of great improvement and extension upon the present system?—I should think that it is capable of a gradual improvement upon the present system, and that to an unlimited extent.

If we were to break up the present system, and to admit the experienced and the inexperienced, the honest and the dishonest, into a participation in the China trade, what in your opinion would be the probable consequence?—I should think it probable that disputes would arise, and that additional restrictions would be laid upon the trade; that it would in consequence be carried on less advantageously than it is at present, and that it would be possibly suspended, and might soon cease altogether.

If it did not cease altogether, is it your opinion that under such circumstances it would probably decline instead of improve?—I am of opinion it would.

Will you state what would be the condition of British subjects in China without the Company's authority to protect them?—They would be liable in many cases to oppression, and to vexatious embarrassments in the conduct of their trade in a much greater degree than they are at present.

Is it your opinion, that if a king's consul were established at Canton, he would exercise the same power in protecting British subjects that is at present exercised by the Company?—I am not acquainted with the precise powers granted to king's consuls; but, from the opinion I have of those powers, I should certainly conceive they would be insufficient for the purposes required.

Whatever powers were granted to such a consul, are you of opinion that they would be equal to those exercised at present by the servants of the Company, in protecting British subjects from the oppressions and vexations of the Chinese?—I am not aware that any powers could be granted to a consul that would be equally effectual with the

powers already in the possession of the servants of the Company.

Is it your opinion, that it is of the utmost importance, if not of absolute necessity to the preservation and improvement of the China trade, that it should be continued substantially on the present system, in as much as regards the present powers and privileges of the Company?—That is my opinion.

In your opinion, are there not many commercial causes, as well as political ones, that render the opening of the Chinese trade inexpedient?—I think there are several causes of that nature, which operate under the peculiar circumstances of the British trade to China.

Do you think that the Americans, and other foreign traders to China, have been able in any degree to enter into competition with the Company in the Chinese market?—It is my opinion, that the Company have generally obtained a refusal of the principal articles of China produce, but that the Americans and other foreigners have certainly in some degree entered into competition with them.

Do you mean in the inferior articles?—Chiefly in the inferior articles.

Is it your opinion, that the uniform price of tea is one of the consequences of the present system of carrying on the China trade?—That is my opinion.

Will you state how you think the uniform price of tea is produced by the present system?—In consequence of the East India Company bidding singly in the market, I should conceive that the prices of tea are retained at a much lower rate than they would if a general trade were allowed.

Are you of opinion, that one of the probable consequences of opening the trade with China would be a rise in the price of tea at Canton?—I think it is highly probable.

Are you of opinion that the Company's trade to China has been of equal or greater proportionate advantage than that of the American or other foreigners?—I am not competent to speak to the profits of individuals; but I should apprehend that the stability and credit of the Company, and the manner in which their trade is conducted, must give them great advantages over other foreigners.

In your opinion, have the advantages that have been derived to this country from the sale of British manufactures and productions in China been entirely owing to the present system of carrying on that trade?—I should think they are so in a a great measure.

Will you state, if you are able so to do, the amount of that sale at present, and in what articles?—I believe in value about a million stirling, chiefly in woollens and metals.

Can you state what you conceive would have been the difficulties of producing such a sale under the system of a free trade?—The prejudices of the Chinese against new articles make it necessary frequently to sell them in the first instance at a loss, and continue to do so until those prejudices are removed.

In the instance now stated, did the East India Company sell British manufactures for a considerable time at a loss in order to remove such prejudices of the Chinese?—It appears by the accounts of the East India Company that they have done so; and I have every reason to believe that they have exported British manufactures at a loss, in the manner so stated.

Have the East India Company taken any other steps by means of contracts with the Hong merchants, to force the sale of British manufactures in China?—They annually contract with the Chinese merchants for the disposal of the British manufactures, in return for the teas which they purchase from them.

Do you know whether a taste for British manufactures is now so fully established in China, that the Company trade in them with a profit in respect to themselves as well as to the nation?—They do so, I apprehend, in regard to some articles.

Some articles, you mean, which were originally sold at a loss?—Which were originally sold at a loss, to the best of my knowledge.

Do you mean to include among those articles British woollens?—I mean, chiefly, some particular species of British woollens.

Can you state what the American and other foreign traders export to China?—I can speak to some articles, such as the root called ginseng, and furs of various kinds; these are the chief articles I recollect at present.

Do not they principally carry out bullion to China?—They have carried out bullion to a great extent.

Have they been enabled to import any European manufactures into China?—I do not recollect that they have; or if they have, certainly to no considerable extent.

In your opinion, is not the great attention paid by the Company to the quality of the woollen goods they have exported to China, been one great cause of their success there?—That attention has certainly contributed very materially to the success of the woollen trade in China.

Is not the Company's mark admitted in all parts of China as a satisfactory proof of the quantity and quality of the goods that are so marked?—I have always understood so.

Can you state to the committee what or whereabouts is the annual consumption of tea in this country?—I believe four-and-twenty or five-and-twenty millions of pounds weight; I speak of the average importation from China, rather than the consumption in England.

What do you imagine would be the consequence of any great reduction of the quantity or deterioration of the quality of the teas that are annually imported into this country?—It would no doubt be a considerable inconvenience, as it would amount to a privation of an article in daily use.

What do you think would be the consequence to the Company, and to the revenue?—The East India Company would lose their profit in proportion to the diminution of the importation, and the government would lose the revenue at present raised on that importation.

Do you know whether there is any peculiar nicety required in adjusting the supply of tea to this country to the demand?—The East India Company's servants do employ great pains and labour in adjusting the supply to the consumption, both in respect to the aggregate, and in respect to the different species of tea, of which that aggregate consists.

Are you speaking of what is done at Canton?—Yes, of what is done at Canton.

Is not tea an article that requires the nicest care

and examination to prevent adulteration ?—It does; more than any other article that I know of.

Do you know what becomes of any damaged tea which may be in the possession of the Company ?—I have understood it is destroyed; that it is sent down to the mouth of the river Thames in barges, and thrown into the sea; and that the officers of his majesty's revenue attend on those occasions to see that it is so destroyed.

Do you mean that the Company so destroy teas, which, if they chose, they might sell ?—I have understood that those teas so destroyed might be sold, that is, they would find a sale in London.

If the Company find they have tea of a bad quality, do you know what becomes of it ?—I have known many instances in which such teas have been sent back to China, and returned upon the hands of the merchant from whom they were purchased.

Will the merchant take back such tea, and allow the price of it to the Company ?—The Chinese merchants have done so in several instances.

Do you think the China merchants would do so to private traders?—I should imagine not; I know of no instance in which they have done so.

Are there not certain kinds of tea, the growth and manufacture of which the Company encourage, for the purpose of the general trade, which are separately unprofitable?—Not actually unprofitable, but encouraged in a larger proportion than the immediate profit arising from them would lead to.

In your opinion could it be the interest of individual traders to encourage the growth and manufacture of such teas?—Certainly not in the same degree as it is that of the East India Company.

Will you state in what way the encouragement of the growth and manufacture of such kinds of tea is important to the general tea trade?—Because it is found that a mixture of those teas with other teas, by raising the credit of the article in England, increases the consumption generally.

If a free trade were opened between this country and China, do you think it would be possible for

the Company to make any calculation for suiting tonnage to the supply of this article, or for suiting the supply to the demand ?—If there was any considerable participation in the trade to China, it would be impossible for the Company to do either.

If a free trade were open with China, do you think it would be possible to prevent, by direct or indirect channels, inferior and damaged teas from coming into the British market ?—I am not aware how they could be prevented, under such circumstances, from being introduced into the British market.

If private ships, fitted out from British ports, were allowed to navigate directly to and from the Eastern Islands, is it your opinion that they would indirectly secure to themselves a participation in the tea trade ?—I should think they would have it in their power to purchase teas in the different ports of the Eastern Islands.

Are not those seas and islands full of Chinese vessels and colonists ?—There are Chinese vessels and colonists to be met with in almost every part of the Eastern Archipelago.

Are you of opinion that the teas, if so procured,

would probably be of a very inferior quality to the teas imported by the East India Company?—I should conceive that they would probably be of an inferior quality.

Are you of opinion that it is probable, notwithstanding their inferior quality, that from having evaded either the Chinese or the English duties, or both, they would supersede in a considerable degree the use of the East India Company's teas?—It would certainly be the interest of the English merchant to import those teas, if he could in any considerable degree evade the English and Chinese duties.

Are not you of opinion that it would be the interest of such trader to import tea so procured into the ports of British India and other places where there was a demand for them?—Supposing the demand to be similar to what it is in Great Britain, and that the teas bore the same prices, it would certainly be the interest of the merchant to import them.

Do not the high duties upon tea hold out the strongest temptation to smuggling it in every way?—I conceive that they certainly do.

Have you any doubt that if private ships are allowed to trade freely to the East Indies, that by them tea will be smuggled out of China and into this country?—I cannot speak positively in answer to that question; but I think it probable that teas would be obtained at the Eastern Islands, and smuggled into Great Britain.

(By a Lord.) Do you conceive that the influence of the Company, arising from the exclusive management of the British Trade, has not more effect upon the Chinese government than any power that could be conferred upon a consul by the crown?—I am not aware of any power that could be granted to a consul appointed by the crown that would be equal in effect to those powers which directly or indirectly exist in the Company's servants in China. Those powers which are derived from the management of the trade could not be conferred on a consul; of course his power would not be equal to the power of the Company under the present system.

EXTRACT

FROM THE

MINUTES OF EVIDENCE

TAKEN BEFORE

A SELECT COMMITTEE

Of the House of Commons,

ON THE AFFAIRS OF THE

EAST INDIA COMPANY,

IN 1813.

EXAMINATION OF SIR GEO. THOS. STAUNTON, BART.

Mr. Impey.] You are a supracargo in the East India Company's service?—Yes, I am.

How long have you been in that situation?—I have been fifteen years in the service of the East India Company.

You accompanied Lord Macartney's Embassy to Pekin?—Yes, I did.

You are also acquainted with the language of the Chinese?—I have made the Chinese language my study.

From being acquainted with the language of the Chinese, and from the time you have been in that country, have you had peculiar opportunities of becoming acquainted with the character, the opinions, and the habits of the Chinese?—I should conceive a knowledge of the language would probably give me some advantage over other Europeans in those respects.

Have you also, from the situation you held in the Company's service, obtained a competent knowledge of the Chinese trade?—I consider my situation as giving me an opportunity of having a general knowledge of the commerce of China.

From your knowledge of China, can you state to the committee, whether they are not peculiarly jealous and suspicious of strangers of all descriptions?—I should consider that the Chinese are peculiarly jealous and suspicious of strangers.

Can you state to the committee any principle of government or subordination entertained generally by the Chinese nation, that renders them pe-

culiarly adverse to casual and unconnected trading adventurers ?—The principle of responsibility that is exacted in China, from every person in office, and the control which is required to be exercised by them, would certainly lead them to be peculiarly adverse to any trade that was not under an efficient control.

Do you conceive that that principle has been one great cause, why in former times the Chinese have been adverse to commerce with foreigners ?—I should conceive that has been the principal, or one of the principal causes of their unfavourable opinion of strangers, and their unwillingness to enter into commercial connections with them.

Can you state to the committee, from your knowledge of the history of the trade of China, what have been the impediments thrown in the way of foreign trade in that country in former times, in consequence of that principle ?—The trade has been confined to one port of the Chinese empire, and is limited to a certain number of native Chinese, called Hong merchants; the Europeans are allowed to reside at that port only while their ships remain there, and various other restrictions were imposed to prevent any ill consequences arising from the trade with foreigners.

Was not the residence of foreigners confined to a small district in the suburbs of Canton?—It was.

Were not all foreign ships disarmed upon their arrival, and their arms restored at their departure?—There was an order to that effect, and I have understood it has been put in force on some occasions.

Was not all intercourse between foreigners and the Chinese strictly prohibited, with the exception of those Hong merchants, and a few other persons appointed for the purposes of that intercourse?—It was so.

State to the committee, whether, in point of fact, those severe laws are not at this time modified in practice?—There has been in practice a considerable relaxation of those laws in favour of strangers.

Do you conceive that one of the principal causes, or the principal cause of the relaxation of those laws, has been the mode of carrying on the China trade by the East India Company?—I should certainly consider, that the system according to which the trade is at present carried on, is one of the

principal causes of that improvement. There may be, no doubt, some collateral causes, which have contributed to the same effect.

Do you not know that the jealousies of the Chinese have been so far subdued, that they have even made advances at Canton to a direct and confidential intercourse with the servants of the East India Company ?—There have been such advances in one instance, within my recollection.

Are you of opinion, that notwithstanding the lessening of the jealousy of the Chinese above stated, very slight causes may probably bring our trade with China into great danger ?—Our trade with China is certainly still upon a precarious footing, and is liable to be disturbed by provocations which might be considered of a slight nature.

Do you know that the English have been lately excluded from the port of Chusan ?—I have understood that the English were formerly admitted to the port of Chusan, which they are not at present.

Do you know whether it was from any considerable provocation on the part of the English, that they were excluded from the last mentioned

port ?—I am not acquainted with the causes of the exclusion of the English from the port of Chusan, but I have not understood that there was any adequate provocation.

From your knowledge of the Chinese, do you think they consider their commerce with the East India Company as of any considerable consequence to the prosperity of their empire ?—The Chinese government have always declared, that they do not consider it of any consequence to the prosperity of the Chinese empire.

In your opinion, have not the measures and conduct of the Company's servants at Canton even gained them the respect and confidence of the Chinese ?—The Chinese certainly testify much greater respect and esteem for them than for other foreigners, or for any foreigners when the trade was first opened with that country.

Do you think that the unimpeachable good faith of the Company has greatly contributed to that effect ?—I should consider that it certainly has.

Has not the beneficial effect of the Company's good character in China extended not only to their own officers, and other adventurers from British

India, but also to foreigners, and particularly to the Americans ?—I think it has, in some respects.

From your knowledge of the Chinese, do you think that the character of the Americans stands equally high with that of the Company, among the Chinese, for honour and probity ?—I should think, by no means so.

Are you of opinion that the power of the Company contributes as well as their probity to the high character they hold among the Chinese ?—It certainly contributes to the respect and to the consideration they receive from the Chinese.

From your knowledge of the Chinese trade, do you think it is capable of great improvement and extension upon the present system ?—I should conceive it is capable of a gradual extension, and that beyond any limits which can be at present assigned.

Supposing the present system were to be broken, and the traders of this country, honest and dishonest, experienced and inexperienced, were allowed a participation in the China trade, what, in your opinion, would be the probable consequence ?—I should think it extremely probable,

that disputes would arise, and that additional restrictions would be laid upon the trade; that it might, in consequence of such disputes, be suspended, and perhaps altogether abandoned, in consequence of the treatment that might be experienced from the Chinese, and the new regulations that might be imposed for the control of the trade.

Do you think it probable, that in the event last mentioned, the trade being thrown open, such impediments would be thrown by the Chinese in the way of it, as would tend greatly to diminish, if not entirely to destroy it?—I conceive that the trade would be rendered much less advantageous than it is at present; but whether it would become necessary altogether to abandon it, would depend upon circumstances which it is not possible to foresee.

Supposing the East India Company's power to be destroyed, what would be the state of British subjects in China, without the protection they now receive from it?—I should conceive they would be liable to considerable embarrassments and vexations in the conduct of their trade, and in a much greater degree than they are at present.

Supposing that a king's consul were established

at Canton, is it your opinion that he could exercise the same authority that the Company now does in the protection of British subjects?—I should conceive not; as the power and influence of the Company's servants is chiefly derived from their having the direction and management of the trade.

Is it your opinion upon the whole, that it is of the utmost importance, if not of absolute necessity, to the preservation and improvement of our trade with China, that the present system should be continued?—I should think it is certainly highly important to the preservation and improvement of the trade, that the present system should be continued.

Is it from political causes only, or from commercial causes also, that you think it would be inexpedient to throw the China trade open?—I should conceive there are likewise some commercial causes that would prevent the trade being carried on so advantageously on any other system as the present.

In your opinion, have the Americans, and other foreign traders who have been to China, been able to enter into competition, in any degree, with the East India Company in the Chinese market?—

They do in some articles of trade to a certain extent.

Are those, with respect to the commerce in general, superior or inferior articles?—They have entered into competition in respect to some species of teas, and also in some of the inferior articles.

When you speak of their having entered into competition with the Company, in some species of teas, are those superior or inferior species of teas? —I can hardly distinguish them by the term superior or inferior; they are peculiar species of teas.

What are they?—Some kinds of green teas chiefly.

Do you consider the uniform price of teas as one of the consequences of the present system? —I should certainly impute it in a great measure or entirely to the present system.

State to the committee in what manner you suppose that effect to be produced by the present system?—I conceive, that as the Company bid singly in the market of China for the produce of that country, they must necessarily obtain it

cheaper, and at more uniform prices, than if a great number of individuals entered into competition with each other.

In point of fact, the monopoly of teas in China is in the Hong merchants, is it not ?—I consider it so.

According to the present system, do you consider that the East India Company, notwithstanding the monopoly of tea in the Hong merchants, is enabled in a very great degree, to regulate the price of it ?—They have generally the refusal of all teas, and other principal articles brought to market for foreign consumption ; and in respect to those articles in the purchase of which they have not to meet with any competition, they are certainly enabled, in a great measure, to regulate the price.

Are you of opinion that a free market with China would have the effect of raising the price of tea in that country ?—I should conceive it would necessarily do so.

Do you think that the Americans, or other foreign traders who have traded to China, have traded with equal or greater advantage than the

East India Company?—I am not able to speak to the advantages which individuals have derived from their trade, but I should conceive that the credit and reputation of the Company in China does give them, generally speaking, considerable advantages in carrying on their trade in that country.

Are you of opinion, that the advantages that have been derived by this country, from the sale of British manufactures and produce in China, has been entirely owing to the present system?—I should conceive that the present extent to which British manufactures are sold in China, is in a great measure or entirely owing to the exertions of the East India Company.

Can you state what or whereabouts is the amount of that sale at present?—I believe at least a million sterling in value.

In what articles?—Chiefly woollens and metals.

Can you state to the committee what difficulties the East India Company have had to contend with, in producing the present sale of those commodities in China?—The Chinese generally entertain considerable prejudices against any new article, and

it is therefore often necessary to dispose of it for a considerable time at a loss; but after a time those prejudices wear off, and the merits and value of the articles are known, and the sale extended.

Do you mean to state, that, in point of fact, the sale of British woollens to a large amount in China, has been produced by the Company having sold them, in the first instance, at a loss?—I conceive that that is one of the causes of the present extent of the sale of British produce; in addition to which the Company enter into contracts to dispose of those articles, in return for teas purchased of the China merchants.

Do you know, in point of fact, that in the commencement of that trade with China, the East India Company disposed of our woollens in that country at a loss?—It appears by the accounts of the East India Company, that the woollens have been sold at a loss, and I have no doubt that has been the case.

Do you know whether a taste for the woollen manufactures of this country is now established to a considerable degree in China, by the means the Company have taken for that purpose?—The taste for British woollens has certainly been introduced to a considerable extent in China.

Can you state to the committee the nature of the contracts made between the Company and the Hong merchants, by means of which the sale of our manufactures has been, in a considerable degree, forced into that country?—As the Chinese merchants derive their profits chiefly from the sale of teas, they are willing, for the sake of those profits, to contract to receive the woollens, with little or no profit to themselves upon them; those contracts are accordingly very essential to the sale of our British manufactures in that country.

You mean, that from the advantage they gain in selling their tea to the East India Company, they have been willing to contract with the East India Company for taking off our manufactures, even without a profit to themselves?—I conceive that is the principle or understanding upon which the contracts are made.

Do you know whether, in consequence of such measures having been pursued by the Company, their trade with China in our woollen manufactures is now profitable to them, as well as to the nation?—To the best of my recollection, it has become decidedly profitable to the Company in some articles of the woollens.

Has the reception of British woollens in China

been procured in a considerable degree by the Company's attention to their quality?—The attention of the Company to the quality of their woollens, and also to the prevention of any irregularity or deception in the packages in which they are contained, has contributed in a very important degree to their circulation and reception throughout the empire of China.

Is not the Company's mark, in all parts of China, admitted as full proof, both of the quality and the quantity of the goods that are sold under it?—I have always understood so.

Do the Americans, and other foreigners, who trade to China, carry out manufactures or bullion, to exchange for the commodities they get there?—They carry out bullion to a considerable extent, and some articles of native produce; but few, if any, manufactures, as far as I am acquainted.

Can you form any idea of the average annual importation of tea to this country?—The cargoes are provided in China, upon the assumption that the demand is from twenty-four to twenty-five million of pounds.

Considering that tea is become almost a neces-

sary of life among the lower as well as the higher ranks in this country, do you think that very great distress in this country would be the consequence of a great reduction, either of the quantity of the tea imported, or of any great deterioration in its quality?—I should conceive it certainly would be attended with distress and inconvenience to the country, under the present circumstances of the universality of the demand.

Do you think, that if the trade between this country and China were thrown open, it might be a probable consequence of it; that either the quantity of tea would be ill proportioned to the demand, or that the quality of it would be deteriorated?—I conceive the measures now taken by the East India Company for regulating the supply in proportion to the demand, in respect to the aggregate amount, and also in respect of the different species of tea of which that aggregate consists, could not be taken by individuals; and therefore that it is very probable that teas of an inferior quality would be imported, and that the supply would also fluctuate in a manner that would be very inconvenient and prejudicial to the interests of the consumer.

Are you of opinion, that any material derange-

ment of, or inroad upon, the tea trade might be attended with great danger, as well to the revenues of this country as to those of the East India Company ?—I am not able to speak to how far smuggling might be practicable by individuals, but I conceive it would be certainly much more practicable than under the present system, and therefore probably attended with the effect stated in the question.

Can you state, from your own knowledge, whether there is any peculiar nicety required in adjusting the supply of tea to the demand, and in selecting the various kinds of tea?—I should conceive, as I have already stated, that it is very important to the consumer that the supply should be regular and uniform; there is also a very considerable nicety requisite in the selection of teas, which is attended to under the present system, and which probably could not under any other.

Is not tea an article that requires the nicest examination to prevent its adulteration?—It does so, more than any article with which I am acquainted.

Can you state what becomes of any damaged tea, that may be in the Company's possession,

even supposing it might be saleable?—I have understood that in many instances, damaged teas are sent down in barges to the mouth of the Thames, and there thrown into the sea, in the presence of the officers of the revenue who attend to see the tea so destroyed.

Do you mean to state that it is the practice of the Company to destroy all damaged teas, even though they might, if they pleased, sell them at an inferior price?—So I have understood.

Do you know what becomes of tea of a bad quality, if it should turn out that the Company are in any instances imposed upon by the merchants in China, or have by accident purchased such teas ?—Teas of a bad and objectionable quality, have, in many instances, been returned on the hands of the owners and original merchants, of whom they were purchased, and the prices paid for those teas deducted from their accounts.

Do you mean that without any dispute the Chinese merchants are accustomed to allow the price of such teas of inferior quality, in account with the Company?—The Chinese merchants, have, generally speaking, such confidence in the

honour and good faith of the Company, that they are in the habit of submitting to such charges with little or no opposition.

Do you think that such a practice could possibly be pursued by any private merchants dealing in the same article?—I should conceive not; I know of no instance in which it has been practised.

Are there not certain kinds of tea, the growth and manufacture of which are encouraged by the East India Company, though not in a very great degree profitable, that are imported in general with other teas, the growth and manufacture of which, individuals would not probably encourage?—There are certain species of tea, the growth and cultivation of which the Company encourage to a much greater degree by higher prices than individuals would be likely to do; this is on account of the advantage of a portion of those teas being included in the supply for general consumption. These teas are probably mixed with other teas by the teamen in England.

From your knowledge of the tea trade, do you think it of great general importance to that trade that the growth and manufacture of such species

of tea should be encouraged?—I cannot speak from my own knowledge; but I conceive, from the information of others, that it must be a considerable advantage to the trade in general.

Are you of opinion, that upon the present system, the quality, the quantity, and the appreciation of the annual supply of tea to this country is carried to the highest pitch of perfection?—I am not aware of any change from the present system by which it could be improved.

Are not you of opinion, that upon this subject, the East India Company are guided by more liberal motives than in the nature of things it can be expected any individual traders can be?—I should think that, as the Company look forward prospectivly to the future success and extension of the trade, they must act frequently upon different and more enlarged principles than individuals who have only their present interest in view, in the sale of their respective cargoes.

If a free trade were opened with China, do you think it would be possible for the East India Company to make any calculation for suiting their tonnage for the supply of the article, or the supply to the demand in this country?—Every

competition, in proportion to the extent of that competition, would necessarily disturb arrangements and calculations of the Company.

Supposing the same event of a free trade, are you of opinion that it would be possible to prevent inferior and damaged teas, by direct or indirect channels, from finding their way into the British market?—I am not aware of any regulations that could prevent such tea being introduced into the British market.

Is it your opinion, that such inferior or damaged teas, if introduced in any considerable quantity into the British market, might prove very pernicious to the health of the people who used them?—I am not aware of any tea at present procurable in the Canton market, that is peculiarly prejudicial to the health; but if inferior and objectionable teas were introduced, it would be certainly likely to diminish the taste for that article, and therefore to decrease the consumption.

If private ships fitted out from British ports, were allowed to navigate directly to and from the Eastern Islands, are you of opinion that they would by direct means find methods of securing to themselves a participation in the tea trade?—I have no

doubt that means would be found of procuring teas in the Eastern Islands, and that therefore it is probable they might be introduced from thence into this country.

Are not the eastern seas and islands full of Chinese vessels and colonies?—There are Chinese vessels and colonies, I understand, in almost every part of the Eastern Archipelago.

Have you any doubt that by means of these colonies and vessels, private ships from hence who are allowed to enter the eastern seas would be enabled to obtain teas from China?—I have no doubt that they would.

Have you any doubt that teas so procured, though of inferior quality, would in a great degree supersede the use of the East India Company's teas?—As they would be purchased under an evasion of the Chinese export duties, and particularly if they were sold under an evasion of the English import duties, they would come to the consumer upon much cheaper terms than those of the Company, and would therefore necessarily interfere with the sale of the Company's teas, though of an inferior and less acceptable quality.

Are not you of opinion that the high duties upon tea in this country hold out the strongest temptations to smuggling in every way?—I should conceive that they must.

Are you of opinion, that if a free trade were opened between this country and India, to the exclusion of China and the Chinese Seas, means would be found by the private trader to smuggle tea from India?—Certainly not to the same extent as if the trade to the Eastern Islands were opened; but I am unable to say whether smuggling would be actually impracticable in that case.

If British vessels were permitted to go to Manilla, are you of opinion that that situation would be peculiarly convenient for the smuggling of tea from China to this country?—It would have a peculiar convenience from its proximity to the port of Canton, and from its being frequented by Chinese vessels.

Do you know whether there would not be another peculiar facility from vessels being enabled to pass to and from Canton and Manilla at all seasons of the year?—They are certainly enabled to pass and re-pass at all seasons of the year, with some difference in point of time.

State to the Committee, supposing a trade opened with India, and that the smuggling of tea took place by cargoes being taken up in India by the private traders, in what way do you imagine those cargoes would be conveyed from China to India? Teas are at present purchased by the country ships trading between China and India without any sort of difficulty.

(Examined by the Committee.)

Do you know what is the Chinese duty upon tea?—I am not acquainted with the exact amount of the duty; but the imperial duty on tea is not considerable.

Whereabouts is the duty upon the export of tea supplied by the Hong merchants?—I have never seen any certain and authentic document on this subject, and therefore cannot give an opinion.

Is it known to you whether the Chinese private traders find means to evade those duties?—The Chinese junks do not clear out generally for foreign ports; and therefore they are not liable by the laws of China to the same duties as foreign vessels. Chinese vessels are not allowed by the laws of the country to proceed, with very few exceptions, to any foreign countries.

An evasion of the Chinese duties is possible?—Yes; because they do not clear out to a foreign port.

Do you know whether the island of Banca supplies much tin to the Chinese market?—It is a considerable source of the supply of tin to the Chinese market.

Do you know the relative price of the tin supplied from Banca, and that imported from England?—I do not recollect.

EXTRACT

FROM THE

MINUTES OF EVIDENCE

TAKEN BEFORE

THE COMMITTEES

OF THE

Two Houses of Parliament,

ON THE

FOREIGN TRADE OF THE COUNTRY,

IN 1821.

LORDS' COMMITTEE.

EXAMINATION OF SIR GEO. THOS. STAUNTON, BART.

You have been in the service of the East India Company?—I have been in the service of the East India Company from the year 1799.

Have you during that time, resided for any considerable period in China?—The longest period I have resided there at any one time is between three and four years.

Will you state to the Committee whether, in your opinion, any inconvenience would arise from the admission into the port of Canton of British free traders, upon the same footing that the subjects of the United States and the other countries are now admitted?—I think the inconvenience would depend in a considerable degree upon the extent to which British merchants availed themselves of that admission. I conceive that any considerable entry of British ships navigated by British seamen, and bringing out to China British agents not in the service of the East India Company, would be viewed by the Chinese with considerable suspicion, and would be likely to induce them to endeavour to impose new restrictions on the trade, the consequence of which naturally would be extremely embarrassing to the commercial interests of the East India Company and the British nation.

Do you conceive that there are any circumstances attaching to the character of such British agents or British seamen as it might be expected would be employed in a free trade with the port of Canton, which do not attach to the persons similarly employed in the American trade, and which would be likely to produce consequences with respect to the Chinese government which do not now occur?—I believe, generally speaking, that the

subjects of Great Britain stand higher with the Chinese than those of any other foreign nation, but that the known power and supposed ambition of Great Britain expose them in a peculiar degree to be objects of jealousy to the Chinese, which would occasion the suspicion I have already adverted to.

Do you apprehend that that suspicion would be increased from the mere circumstance of a greater number of British traders coming to the port of Canton, independently of any other circumstance? —It would depend upon the conduct of the persons who visited China under the British flag; it has been supposed that British seamen have not always conducted themselves with the same degree of subordination as those of other nations; if that should be found to be the case, it would of course increase the suspicion and jealousy of the Chinese towards them.

In referring to the greater degree of subordination of British seamen as compared with those of other nations, in China, do you not refer excluclusively to seamen in the service of the East India Company?—I refer exclusively to those, as no others have been in the habit of visiting China.

During the period of your residence at Canton, had any quarrels or inconveniences arisen between the Americans and the Chinese local government in consequence of the increased American trade with that port?—I do not recollect any particular instance of a quarrel of that nature, though some may have occurred which did not come to my knowledge.

Do you conceive that the establishments of the British East India Company at Canton have any effect, beneficial or otherwise, upon the trade of other nations with that port?—I should conceive that indirectly they have a beneficial effect in a considerable degree; and that the exertions that have been made by the servants of the East India Company, to prevent the trade being oppressed by unnecessary restrictions, have, when successful, been beneficial to the trade generally.

Is there any reason why the benefit, whatever it may be, which other nations in their trade with Canton have experienced from the existence there of the establishments of the East India Company, should not be equally derived from them by British free traders, supposing them to be admitted to trade with that port?—I am not aware of any reason why they should not equally benefit.

Are you of opinion that an increased demand would be likely, under any circumstances, to exist for British manufactures in the Chinese market?—I am not inclined to think that, under the present restrictions the Chinese impose upon the trade, any material increase in the demand for British manufactures can take place.

Will you describe what the restrictions are, to which you particularly allude?—The confining the trade to one particular port of the Chinese empire, and that not the most favourable for the purposes of the trade; and also the limitation to a small number of privileged merchants, as well as other restrictions of minor importance.

Are you aware that a considerable quantity of British manufactures is introduced into China through Russia, by means of caravans?—I was not aware of that circumstance.

Are you aware that a considerable quantity is introduced by means of American traders?—I have recently heard a report that a quantity of British manufactures have been introduced by the Americans.

Is there any reason why that quantity, whatever

it may be, should not be introduced by means of British free traders, were they permitted to trade with the port of Canton?—I should have imagined, that the private trade which the commanders and officers in the service of the East India Company are permitted to carry on, would be sufficient for the purpose of the present demand of the Chinese, in addition to the trade which is carried on by the East India Company.

Do you conceive the channel to which you have alluded, of a supply by means of the officers of the East India Company, to be the best for supplying any increased demand that might arise in the Chinese market?—I am not aware of any advantages that would attach to any other channel, in preference to that possessed by the officers of the East India Company.

Do you conceive the peculiar situation and circumstances of the officers employed in the service of the East India Company, with a reference to their habits of life, to the mode of their appointment, and to the uncertainty of their continuance in the same line of trade, to be the best calculated for increasing and supplying the trade you have referred to?—I should imagine that if any very considerable demand existed for British manufac-

tures, they might not possess every qualification calculated for supplying it; but in the existing state of the demand, I should conceive that they are competent to do so.

Independently of the peculiar restrictions to which you have alluded, are there any opinions or prejudices prevalent in China likely to interfere with the demand for British manufactures?—Certainly not as far as I am aware.

Do you apprehend that a demand for British manufactures might, under favourable circumstances, take place in Cochin China, or any of the other adjacent countries?—I should suppose that a demand might exist to a certain and perhaps considerable extent, if the Cochin Chinese government were favourably disposed to British trade; but the attempts that have been made to open an intercourse have proved unsuccessful.

Are you aware that a treaty was once concluded between the French government and that of Cochin China, for the purpose of promoting an intercourse between those countries?—I have heard that such a treaty had taken place.

Are there any circumstances which would render a political or commercial intercourse between

France and Cochin China, more practicable than between this country and Cochin China?—The French had an advantage we do not possess, from having several resident missionaries of that nation in Cochin China, for the purpose of propagating the Christian religion; and their power is not so well known to the government of Cochin China, as that of Great Britain; and therefore they are less an object of jealousy.

Are you aware to what restrictions the introduction of European produce and manufactures, by means of caravans from Russia, is subject in the Chinese market?—I know it has at all times been subject to considerable restrictions, greater at one time than another; it has been carried on sometimes by caravans to Pekin, and sometimes solely at the frontier; but always under very considerable restrictions.

Is it, like that of Canton, made the subject of a monopoly, for the benefit of a particular company of merchants?—I am not aware of the precise manner in which it is carried on; but I apprehend it is in a mode similar to that of the trade of Canton.

If it were to appear, that an increased demand in the Chinese market for British manufactures,

were likely to be attended with an increase of revenue to the Chinese government by the consumption occasioned, is it not probable that such a circumstance might induce the Chinese government to alter its measures, with respect to its restrictions on that trade?—I do not apprehend that it would, while under the influence of its present sentiments and feelings with respect to the power of the British nation.

You conceive, then, that a jealousy of British power would overbalance any other consideration with the Chinese government with respect to trade?—I conceive it would.

Do you, or do you not, found your opinion of the danger of a free trade to China upon the character which British seamen have acquired when in the employ of the Company conducting an exclusive trade?—That is by no means the chief ground of the objection which I conceive exists, though it might operate as one of the objections to such an admission.

Have you had in China, any experience whatever of the conduct of British seamen when engaged in a free trade?—A few ships have arrived

from the north-west coast of America, but those instances are too few to be the foundation of any opinion on the subject.

Is there any thing in China which should create, on the part of British seamen, an unaccommodating spirit, of which we have no experience in the conduct of their trade to other countries ?—I am not aware of any thing, except, generally, the extreme difference in the habits and manners of Europeans and Asiatics; and which, I conceive, is the occasion of that want of accommodation.

Is there a smaller difference between the habits of the Chinese and the Americans, than there is between the habits of the Chinese and British subjects ?—The difference I have already alluded to, as being supposed to exist between those of British and American seamen, is the only one that I should suppose to exist in this instance.

Can you state any instances of conduct on the part of British seamen, on which you found that opinion ?—Several instances of insubordination, by which the trade has been interrupted, and much inconvenience experienced, have occurred during my residence in China.

Did not all those instances occur with regard to seamen in the Company's employ?—They necessarily did so, as there were no other British seamen at the port of Canton at the time.

Are there any objections to a free trade, excepting the insubordination which you attribute to British seamen; if there are, have the goodness to state them?—I should conceive, that in addition to what I have already stated, and which I might consider the political objections, there are commercial ones also.

What are they?—That the opening it would give to speculation, would necessarily raise the price of the produce of China; and, in the same proportion, disturb the commercial arrangements of the East India Company.

Would not that be equally effected by the American and other free traders?—I should imagine that after a time the trade would return to its present level, but the opening to British capital would probably give rise to considerable speculations in the first instance, and create an unusual demand for Chinese produce.

Would it not also create a demand for English

produce?—I do not see in what manner it would produce that effect.

Are you acquainted with the conduct of our seamen in the general merchant service of this country?—No, I am not particularly acquainted with it.

Do you mean to convey an opinion, by your answer to former questions, that the British merchants and the British seamen, are less able to carry on a difficult trade than the seamen and merchants of other countries?—My opinion on the subject is entirely drawn from experience and facts which have occurred in China.

Of seamen not in the general merchant service of the country?—Of seamen in the service of the Company; but I am not aware of any reason why seamen in any other service might be expected to conduct themselves in a different manner.

Have you ever been at sea on board a merchant ship not in the service of the East India Company?—I have not.

You have no means of forming a comparison between the discipline of vessels in the service of the Company and others?—No.

Nor of the manner in which they are paid?—No.

Nor of the trades in which the seamen derive an interest?—No.

Do you consider yourself competent to give a decided opinion upon the subject with regard to the general conduct of seamen in the merchant service?—I can only say, that I infer that those instances of insubordination which have occurred, would be likely to occur again, in proportion to the extent to which British ships, navigated by British seamen, were admitted into the port of Canton; and if they were not equally under the controul of the East India Company's servants, I should imagine the danger would be increased.

Do you therefore infer, that because seamen want subordination under one system of discipline, they must equally want subordination under another system?—It depends, of course, upon the nature of that system of discipline, whether more or less efficient.

Can you state the particular circumstances of any one of those cases of insubordination?—I recollect a riot which occurred in the year 1807, in

which several Chinese were wounded, and one supposed to be killed; the trade was in consequence suspended for a considerable time, and great inconvenience suffered by the East India Company in consequence.

Do you know what led to the riot?—The seamen were at Canton agreeably to a privilege which had long existed, of coming up on liberty, and which was abolished in consequence of the disturbance which occurred on that occasion.

To what numbers were those seamen assembled on liberty?—I am uncertain as to number, but certainly I think upwards of an hundred.

From one ship?—I do not positively recollect.

Can you state the circumstances and the nature of that privilege granted to the seamen, of going up on liberty to Canton?—It is an indulgence, that I believe had been granted ever since the trade commenced, allowing the sailors to come up to Canton for two or three days, at some period during the stay of the ship in China.

In a body?—In divisions, such as were most suitable to the service of the ships.

Is it not granted at the time they receive their pay ?—I am not aware whether that is the case or not ; it probably may be, as one of their objects is to purchase necessary articles for the use of the homeward voyage.

And it is always granted to a number at a time, is it not ?—It is granted to divisions of the ship's crew ; when a great number of ships are in port at a time, several divisions from different ships, would naturally meet in Canton.

You are understood to say, that the stoppage of trade that took place upon the occasion of this riot, was not a stoppage of trade between the Chinese and any particular ship to which those seamen belonged, but a stoppage of trade between them and the Company, who are considered as the sole masters of all the vessels trading ?—That was the case, certainly.

Has this privilege and liberty been abolished ?—It has been abolished as far as respects the mode of granting it ; being so modified, that a much smaller number are permitted to come to Canton together, at one time.

Has there been any riot or disturbance since

the abolition or modification of that privilege or liberty?—I recollect that some have occurred, though not attended with the same serious consequences with that to which I have alluded.

State the date and time of any disturbance that has taken place since the abolition or modification of that privilege?—An instance occurred in the early part of the year 1810, but I was not at that time in China.

How do you know that that instance occurred?—I know it from its general notoriety, and having read the account of it on the records of the East India Company.

In stating the probability of disturbance, do not you take into your consideration the character and usages of the Chinese as well as the habits and character of British seamen?—Certainly; I found my apprehensions of disturbance on the extreme dissimilarity of the habits and manners of the two nations.

Inasmuch as they are more dissimilar than in almost any other portion of the world which British seamen frequent?—Certainly; that is the foundation of the apprehension I entertain on the subject.

Do you not believe that were the merchants of this country fully impressed with the necessity of preserving the most perfect good conduct on the part of the officers and crew they employed in the trade with China, in order to avoid exciting the jealousies of the Chinese, they might, by a small increase of pay, and by using great caution in the selection of the officers and crew, form a ship's company in all respects equal, as far as regarded good conduct, to the ordinary crews of American ships trading to Canton?—I should conceive that the chief difference would arise in the difference of the character and habits of American and British seamen.

Do you not know that a great many British seamen are in the American merchant service?—I am not acquainted with that fact.

Is the East India Company still in the habit of permitting, under licence, and under certain restrictions, the importation of furs obtained on the north-western coast of America, to the port of Canton?—I believe that they are so: one or two ships have imported within my recollection.

Of late years?—The last, to my recollection, was in 1815; but I left China in 1817.

Is it not your belief, that if the trade were thrown open, the general commerce between this country and China would be greatly increased?—I should be rather disposed to draw the contrary inference: I conceive the question applies to a permanent increase; an increase in the first instance undoubtedly would take place, provided it gave an opening to speculation.

In your opinion the speculation would fail, and the commerce would in the end be diminished?—That is my view of the subject.

Then you must conceive that the increase of trade and the resort of our shipping, which you stated to be the objections in the first instance, would not be a permanent but only a temporary objection?—I believe I have already stated my apprehension that it would excite the suspicion and jealousy of the Chinese, and induce them to impose embarrassing restrictions; when those restrictions were once imposed it is doubtful whether they would be removed, though the occasion which gave rise to them had ceased.

Then, in your opinion, provided the trade could be continued on the footing on which it is now carried on with China, with the exception only of be-

ing generally thrown open to British traders, it would considerably increase ?—I believe that I have already mentioned that I do not conceive, under the restrictions which the Chinese have imposed upon the trade, there is any considerable prospect of increase, but that the present system affords as large or a larger opening than any other.

Do you know whether the Hong merchants have any influence with the Chinese government ?—They are consulted by the Chinese government on most occasions connected with foreign trade.

Would it not be for their interest to extend the trade ?—Certainly ; there is no doubt they would be favourably disposed to any extension.

It must, however, be still their interest to confine the trade to the single port of Canton ?—They would naturally wish to confine it to the port at which they are resident.

And to themselves as a company ?—Certainly.

Are not those merchants at Canton extremely benefited by the extension of trade which has taken place with the Americans ?—Some of them have benefited very much by it, and others have suffered by it in nearly an equal degree.

Do you think that the trade which the Americans have conducted is a subject of regret to the Hong merchants?—I conceive any extension of the trade is favourable to the interests of the Hong merchants; and where they do not benefit from it, it must arise from their own imprudence.

Do not you think that if the commodities furnished by America could be brought cheaper to China by British ships sailing under a free trade, the Hong merchants would conceive it a benefit to China to deal with British subjects?—The Hong merchants, in their dealings, would of course look to the commercial profit of the transaction, and judge of it accordingly.

Do you know whether there are not at present commodities prohibited by the Company to be exported in their ships out of China?—I do not recollect at this moment that there are any such commodities, though perhaps there may be some exceptions to the privilege granted to the commanders and officers of their ships, of which I am not aware.

Can you state, speaking generally, what by common report a China voyage is reckoned worth to a captain?—I believe it would be very difficult to answer that question: I have heard of instances

of captains losing by their voyage, and others, of their making very considerable sums, upwards of £20,000.

Can you speak generally to the value of the goods which a captain in the China trade takes out to Canton?—No, I cannot; I am not sufficiently acquainted with that subject; but they have a specific portion of the tonnage of the ship allotted to them.

Is not, upon an average, a China voyage reckoned worth £10,000?—I have not understood a direct China voyage to be worth so much.

Or near it?—I should imagine not.

What should you conceive to be the average?—I am too imperfectly informed on the subject to state it.

Can you state whether the profits of a voyage to Canton to the captains of the East India Company's ships have varied at all since the increase of the American trade to that port?—I am not aware of the effect that has had.

EXTRACT

FROM THE

MINUTES OF EVIDENCE

TAKEN BEFORE

THE COMMITTEES

OF THE

Two Houses of Parliament,

ON THE

FOREIGN TRADE OF THE COUNTRY,

IN 1821.

LORDS' COMMITTEE.

EXAMINATION OF SIR GEO. THOS. STAUNTON, BART.

From what period have you been in the service of the East India Company?—From 1799.

During what proportion of that period have you resided in China?—Eight or ten years.

State your opinion of the feeling entertained in China, with respect to the trade with this country,

by the government and the people ?—I think they are sensible of the advantages that the country derives from it, and are desirous of its continuance.

Did it appear to you, that they were desirous also of its increase ?—In a commercial point of view, I should imagine they would be favourable to its increase, provided it was not presumed to have any political effect that might interfere with the interests of the country.

Confined strictly to a commercial intercourse, do you think that the Chinese government are disposed to encourage it ?—I can only judge from their conduct, as far as I have had experience of it, from which I do not see any disposition to discourage it.

What are the feelings entertained with respect to British subjects, as compared with those entertained with respect to subjects of other European states ?—I should be inclined to think that they possessed, generally speaking, a higher character in the estimation of the Chinese than those of any other country ; but they are generally at the same time, in a much greater degree, the objects of jealousy.

To what do you refer the causes of that jealousy?—To the great power of Great Britain, as evinced by our fleets which have visited China, the operations of our armies in India; and various other circumstances, no doubt known to the Chinese.

Do you think, from that circumstance, they are disposed to view the conduct of individuals from this country in China, with more jealousy, and to attach more importance to it, than to the conduct of individuals connected with other countries?—Certainly I conceive so.

Have you seen any instances in which they have acted upon that feeling?—I cannot at this moment, and should hardly think it necessary to specify particular instances, as I consider the whole system of their conduct to be a proof of that disposition.

Are any other restrictions imposed upon the intercourse of British subjects, by the government of China, than are imposed upon the intercourse of the subjects of any other European nation?—The regulations of the trade once established, apply to all equally; there are certainly no specific regulations applicable to the English.

In what part of their conduct does that disposition show itself?—In the execution of these regulations.

Do you think that there is any thing in that feeling which creates in itself an objection to the admission of free traders from this country, on the same footing as the subjects of the United States or those of other nations are admitted?—I should conceive that such admission would excite a certain degree of jealousy and suspicion in the first instance, and very possibly lead to an endeavour to impose some new restrictions on the trade; but whether that jealousy would continue, and those restrictions be enforced, I should conceive would depend very much upon their conduct.

If the jealousy which you have stated, arises out of their knowledge of the political power of this country, is it not more likely to connect itself with the great establishments and ships employed by the East India Company, than the smaller and inferior ships in which the trade would be carried on by free traders?—I should conceive that the ships of free traders would be connected with the East India Company, in the eyes of the Chinese, nearly in the same manner as the ships now engaged in their own trade.

Is there any other ground of apprehension arising from the admission of free traders, except the general jealousy which you have stated?—I should conceive that in a commercial point of view, if they confined it strictly to the same branches of trade, and to the same extent that the Americans now do, no injury could arise.

Do not the Americans embrace every species of trade that is carried on by us with the Chinese?—They have done so, but in a limited degree, which has certainly interfered with the Company's trade in some instances; but if the British trade was similar in extent, no greater interference of course could take place.

Then you apprehend no danger from the admission of British traders, to the extent to which the Americans are admitted, and carrying on the trade to the same amount, beyond that which arises from the admission of Americans?—I have stated, that there would be no danger, as far as I am aware, in a commercial point of view.

State in what point of view?—That which I have already alluded to, the exciting the jealousy of the Chinese government, the degree of which would depend upon their conduct in carrying on that trade.

If, in the conduct of that trade, it was made clear to the Chinese that there were no objects looked to but commercial ones, do you think that in that case any danger would arise from it?—My apprehensions of the jealousy of the Chinese government being excited, does not arise from an opinion that they would impute political objects to them; but I think that their individual conduct, and the increased number of persons belonging to a nation whose power and resources are so well known to the Chinese government, would unavoidably excite jealousy.

Do you apprehend that the Chinese are acquainted with the power and resources of the Americans?—I should imagine by no means in an equal degree as they are with those of Great Britain, of which they have had so many and such decisive proofs.

Do you entertain any apprehensions of the conduct that would be held by the free traders, that is not applicable to the Americans?—I can hardly presume myself qualified to judge what their conduct would be under such circumstances; but certainly causes of disturbance and dissatisfaction to the Chinese, have arisen more frequently from British subjects than from Americans, in the course of the trade as it has been hitherto carried on.

Has not that very much arisen from the practice of British sailors being permitted to visit Canton in large bodies together on liberty?—No doubt that has been one of the causes.

Has it been a principal cause?—It has been the immediate cause of several disturbances that have actually taken place.

Is not that cause now removed?—The intercourse with the Chinese, of the sailors, though now restricted, cannot be altogether put a stop to. I believe an instance has very recently occurred, in which a Chinese was unfortunately killed.

That was by an officer?—Yes, with a boat's crew, in consequence of stones being thrown at them.

Have you ever heard of any of those instances occurring, with respect to the Americans?—I am by no means sure that they have not occurred, though I do not recollect to have heard of any.

Did you ever hear of the American trade being impeded or stopped by any thing of that kind?—I recollect hearing of individual American ships being detained by order of the Chinese government.

Did it appear to you, when you were in China, that there was a greater degree of insubordination amongst the British than the American sailors?—I can only say, that I have heard of disturbances occurring among the former, of which no similar instances have come to my knowledge respecting the latter.

Arising out of the misconduct of the sailors?—Arising out of the conduct of the sailors, under, no doubt, great provocation from the Chinese.

Do the Chinese common people hold a different conduct towards the British sailors than they do to the American sailors?—I am not aware that the distinction is recognized by the common people generally.

Do you think that the conduct of the British sailors may not, in some degree, arise from a consciousness of the protection they receive from the power of the British establishment there?—I hardly feel myself competent to give an opinion of their motives, or what principles operate in forming their character, but certainly the effects have been such as I have alluded to.

Do you think that the evils arising from this

possible want of subordination might be obviated, by giving a power of control over all British ships that should come to Canton, either to the Company's committee there, or to a consul, or a joint power to a committee and a consul?—I should conceive, that in the event of such an alteration in the system of the trade, it would be essential that the whole of the shipping should be placed under the control of some one authority, and whether under the name of king's consul, or a select committee, appears to me comparatively immaterial, provided the powers were united in the same body.

Do you think that that power would be sufficient to obviate the dangers arising from the disorderly disposition of the British sailors?—I should conceive, that if regulations could be established, placing the private ships in the same degree under the control of the select committee in China, as the East India Company's ships now are, the danger would be greatly diminished.

Would not the same effect be produced, were they placed under the direction and control of a consul?—I conceive that the existence of two separate powers would be productive of great danger and injury to the trade.

When you resided among the Chinese, did the government appear to entertain a jealousy of any display of power and magnificence on the part of other nations?—I do not recollect any instances having occurred that would give them an opportunity of displaying those feelings.

Did they not appear, when the last embassy went up to the seat of government, very unwilling that the ambassador should make any considerable show, with respect to attendants, music, &c.?—The unwillingness seemed to me, altogether to arise from a wish to reduce the number of the suite, and thereby to prevent the political consequences of admitting a considerable number of strangers to the heart of the empire.

You do not apprehend that they are jealous of any display of power, unless they apprehend they are likely to receive injury from it?—I cannot say that that view of the subject strikes me.

When you were in China, did you observe any indisposition, on the part of the Chinese merchants, to trade with the private traders who come from India?—None whatever; their views appeared to me entirely regulated by their prospect of commercial advantage.

Did they appear as willing to carry on trade with those persons, as the agents of the Company? By no means did they place the same confidence; but in a trade of barter, which did not require confidence, I am not aware that any difference existed. Trade upon credit would require confidence.

Do you know of any instances in which there was a disposition, in the local government of Canton, to trade with private merchants, at the time when the intercourse with the Company's ships was stopped?—I remember an instance in which the intercourse was stopped, by the authority of the Company's servants, which the Chinese were very desirous to renew, either with the whole or any portion of the trade of the port.

Did the Hoppo at that time make a separate communication to the private trader, independently of the supercargoes?—He did, and specially invited them to renew the trade.

When was that?—In 1814.

Were you in China then?—I was.

Do you happen to have a copy of the commu-

nication from the Hoppo?—I think I have a copy of it by me; but this and all other papers connected with the subject are upon the records of the East India Company.

Will you have the goodnes to relate all you know of that transaction?—The paper to which I have just alluded, cannot be clearly understood without adverting to the whole circumstances of the trade, and the measures taken by the members of the committee at that time.

Relate them.—It is difficult to give a very satisfactory account of the proceedings at that time, in a few words; but it may be sufficient just to mention, that very serious changes were contemplated by the Chinese government in the system of the trade, and some very oppressive regulations attempted to be established, which induced the select committee to conceive it necessary to suspend the trade, until those regulations should be removed, and the intention of altering the system of the trade abandoned; the measures they adopted in consequence were completely successful. During the period of that suspension, the Chinese government, wishing to defeat the objects of the select committee, endeavoured to induce the commanders of ships then at the port, to disobey their

orders, and open the trade, in which, if they had succeeded, the objects of the select committee in suspending the trade would have been frustrated.

To what do you attribute the regulation of the Chinese government, restricting our intercourse with them to the port of Canton alone?—I conceive it entirely arises from their general jealousy of foreigners, particularly the subjects of the British power; it is a general principle with the Chinese to admit foreigners only to one part of their dominions, as they have actually excluded the Russians from the port of Canton, in consequence of having a communication by land to the northward.

Is not the apprehension, on the part of the Chinese government, more likely to be excited by the large armed and handsomely fitted ships of the East India Company, than the smaller and more unpretending vessels which might be employed by private traders?—A very considerable jealousy has been excited by ships of war on the coast of China; but I am not aware that a similar feeling exists towards the Company's ships, notwithstanding their size being nearly the same.

Do you think that the apprehension of the

British power would have been as great, if the Chinese had not been in the habit of seeing so many of those large ships of the Company?—I should hardly be disposed to attribute any difference to that circumstance.

The committee understand you to say, the Chinese have not the same apprehension of the power of the United States of America?—Certainly.

Then, may not the difference in their estimation of the two powers, arise from the circumstance of the one appearing in those large ships, with expensive and dignified establishments, and the other simply in the character of a trader?—I should rather be disposed to attribute it to the report of our great power and success in Hindostan; to the repeated visits of the British troops to the coast of China; and the number of British men of war who frequented the port of Canton during the late war.

Of what nature were the regulations proposed by the Chinese government, which led to the stoppage of the intercourse in 1814?—The chief commercial alteration was a material reduction in the number of merchants permitted to carry on the foreign trade, which, in the opinion of the select

committee, would have produced a strict monopoly, and placed the trade entirely at the mercy of the few remaining persons permitted to conduct it.

Then, on that occasion, the supercargoes, by firmly refusing to submit to the new regulations, led the Chinese to abandon them?—That was the result of the measures of the select committee.

Do you think that the same firmness and apparent disregard of the threats of the Chinese to put a stop to the intercourse with us, might be used to induce them to extend that intercourse to other ports?—I conceive that it is a very different thing to prevent encroachments and innovations, and to obtain new privileges; and as the latter could not be obtained without the direct interference of the court of Pekin, I should much doubt whether any local measures that could be adopted at Canton, would accomplish it.

Do you know whether, in the instance of 1814, the new measures originated with the court of Pekin, or the local authorities of Canton?—It is difficult to speak positively upon the subject, but I rather suppose from the local authorities of Canton; on the report of whom, they received the temporary sanction of the government of Pekin.

Were you at Canton, when the American trade first commenced?—It had commenced some time before I first went to China.

Do you know at all under what circumstances the intercourse began?—I am not aware of any particular circumstances, but Canton is understood to be a free port to all nations except the Russians.

Have you any recent account of the state of the American trade in China?—I have lately received a letter, an extract from which I beg leave to give in; it is from a gentleman of whose veracity and intelligence, I have the highest opinion.

[*The Witness delivered in the following Paper.*]

"Extract of a letter from a gentleman in China, received by Sir George Staunton in London, on the 8th of May 1821; and dated Canton, November 30th, 1820.

"I imagine that, at present, the Americans wish the envied traffic were vested in our or any other hands, instead of their own; as, unless it shall meliorate, more and sooner than there is any appearance of its doing, the great mercantile ability and resources of Mr. ———, backed as they are by *Howqua*, will hardly bear even him out from very great loss. In fact, the Americans now begin to be convinced, that their great commercial suc-

cesses during the war, arose not so much from their own superior wisdom and enterprise, as from favourable external circumstances, and that they cannot engage in successful competition with the nations whose consolidated capital and formed commercial habits, have now as fair a field. Their tonnage here, in this season, has greatly diminished, and must, it is pretty evident, be in future still smaller, regulated by the extent of their own consumption, and amount of their capital applicable to it."

Is the letter from which the preceding extract is taken, from a servant of the Company?—It is.

Your correspondent has stated it to be his opinion, that the trade carried on by the Americans with China is likely to diminish, because it will be regulated by their own consumption, and amount of their capital applicable to it; are you not aware that the American merchants carry on a very considerable direct trade from China with the continent of Europe?—I have understood that they have carried on such trade; but I infer from my correspondent's letter, that he supposes trade will be carried on in future chiefly by the ships of the respective nations on the continent who are interested in it.

Is it not the fact, that up to the present time, the American shipping employed in that trade is considerable, and that the exports of that description from China to the continent of Europe, are very extensive?—I am totally unacquainted with the extent of the carrying trade of the Americans; I conceive it would be highly important that that should be ascertained, with a view to the proposed measure of opening that trade to British subjects.

As the population of America is understood to be regularly increasing, is it not to be inferred that the quantity of tea, and other productions of China consumed, must increase in that proportion in the United States of America?—Yes.

Is not that fact also at variance with the opinion entertained by your correspondent, that their trade is likely to diminish and fall away?—I should infer from my correspondent's letter, that their trade has latterly been a trade of speculation, and not in proportion to the wants of the United States; and therefore the failure of those speculations would naturally operate its reduction.

By speculation, do you mean exports from China, or the importations to China, or both?—I think in both instances.

Are you at all acquainted with the nature of the importations the Americans have made into China? —I am aware of the chief articles of which their trade consisted, but of the quantity of each I have no idea.

Are you aware that in the course of the last two or three years, a considerable exportation from this country has been made by American traders, of the productions and manufactures of this country to China?—I am certainly aware of it, as my correspondent alludes to the fact in another part of the letter.

Can you inform the committee, what is understood to be the result in China, by the American merchants, of those importations there?—My correspondent mentioned, that it was very unfavourable to the Americans.

Have you understood that they were unfavourable, owing to the excess of the quantity imported, or owing to the goods not being suited to the markets of China?—My correspondent does not mention, and I have no other source of information.

Are you aware that shipping of the size such as

is employed in the trade from America with China, ought to be navigated under their system, at a much less expense than that of the Company?—I am not sufficiently acquainted with the subject, to form any decided opinion.

Can you assign any reason, whilst the Company's trade is considered to be a prosperous one, that that of the American merchants should be otherwise?—The American trade is certainly extremely prosperous in some instances; but as its extent depends upon accidental circumstances and the speculations of individuals, I conceive it has not borne the same proportion to the actual demand.

Are there duties laid upon the importation of goods into China?—Yes; both upon imports and exports.

Do you happen to know the amount of revenue received from the foreign trade in China?—I have no precise information upon the subject.

Do the Chinese government place much importance upon the revenue derived from the foreign trade?—It is certainly an object of some importance to the government; but not one, I conceive,

that would be put in competition with any question of political danger.

Do you not imagine an increase of trade, from the duties it would bring into the port, would be an object to the government?—It certainly would.

Are you acquainted with the manner in which the regular ships of the Company are manned, and the extent of their crews?—I have sailed in them several voyages, but I cannot speak to that particularly.

Generally speaking, of what number does the crew of a 1,200 ton ship consist?—It is very much influenced by a state of war, when the difficulty of procuring crews is very great, and they are under the necessity of making up their number by Chinese. To the best of my recollection, in a ship of that tonnage, the crew consists of about 130 or 140 men.

Are you aware of the number that the crew usually consists in a private trader, in the trade with India, of 500 tons?—No, I am not.

You are not aware that the number, including officers, which usually constitutes the crew of a

free trader of 500 tons, is thirty or thirty-two in all?—No, I am not.

You have stated to the committee, that an increased jealousy would exist, on the part of the Chinese government, was the commerce with this country to be materially extended?—Not on account of the commerce itself, but the circumstances that would attend it.

If that extension was to take place in small vessels of 500 tons, and their crews consisting of such a limited number as has been stated, would not that fact be less likely to produce such a feeling of jealousy, than if it was to take place in large ships, such as the Company now employ, with numerous crews, such as you have stated?—I think the difference would by no means compensate for the diminished control and subordination which might be supposed to arise from their not belonging to the regular marine of the East India Company, and subject as they are to the authority of the East India Company's servants in China.

Presuming that the private trade, were it admitted to China, was made subject to the control of the establishment of the Company there, and that the number of the officers in proportion to the

number of the crew, was similar to the establishment on board the Company's ships; would not a lesser size of ships, so circumstanced, be less likely to excite increased jealousy on the part of the government, than an increase in the larger class of ships would occasion?—It is possible that some difference might exist; but I am really not aware of the size of the Company's ships having excited any peculiar jealousy.

Then, if the large size of the Company's ships has not excited any particular jealousy, does not it follow that less would be apprehended from the introduction of smaller vessels, fitted and manned for commercial purposes alone?—I conceive the jealousy to arise from the ships being manned by Englishmen, and sailing under the British flag; and therefore the jealousy would be proportioned to the extent of the persons and the tonnage.

Then the number of the crew being so much less in proportion to the tonnage, would not that fact be known to the government, and diminish any apprehensions they might otherwise entertain? I doubt whether the difference in the proportion is so great as may at first appear, as one or two of the largest ships in the Company's service, gene-

rally classed with the 1,200 ton ships, have carried home nearly, or as much as 2,000 tons.

Are you not aware, that when the tonnage of shipping is spoken of, it has reference to register tonnage, and that the tonnage of India is considerably less; therefore that a ship of 500 register tons usually carries from seven to eight hundred India tonnage; and in proportion, a 1,000 ton ship would carry 1,800 or 2,000 tons?—My experience, with respect to the smaller ships in India, is rather of a contrary tendency, as I have heard of ships of the class of 800 tons, not carrying their tonnage.

Those are the Company's ships you are alluding to, and not private traders?—Yes.

Supposing it should be impossible from any circumstances to obtain a more extensive access to Canton for British ships, do you think there is any thing in the feelings or laws of China, that would prevent a trade of barter being carried on through the medium of Chinese ships, at any port which might be fixed upon in the Eastern Islands?—I have no doubt such a trade would be practicable, if not by consent, by connivance, or even in

defiance of the Chinese government; but that it would be subject to many obvious disadvantages, as compared with the direct trade, from the want of means of selecting the cargoes, and other causes.

Are you aware whether the importation of the productions of Europe is permitted into China in Chinese vessels, at any one or more ports upon the coast?—I am unable to speak distinctly respecting what part of the China trade is permitted by the Chinese government, and what takes place without its permission; but I have every reason to believe, the trade is carried on between many of the ports of China and the Eastern Islands, and that the vessels engaged in that trade, would be enabled to introduce into China British manufactures.

Are you aware whether the government does or not prohibit the importation of such goods, through such a medium, as for instance supposing such were from the island of Java?—I have an idea that in such cases, the vessels are entered as trading from port to port in China, and not as coming from a foreign port; but I am not aware that there are any specific restrictions respecting the nature of their cargoes.

Are you acquainted with the fact, that the productions of Europe imported to Canton, are afterwards carried coastwise to other ports of China, in Chinese vessels?—I am not aware of the fact, but I see no reason why it should not be the case, if there was any commercial advantage in so doing; but it is very doubtful with me, whether the additional expenses and duties attending the transport by sea, would not prevent recourse being had to that mode of traffic. I beg to add, that in this point, I speak from an anxiety to give every information in my power to the committee, but rather from general impression than actual knowledge.

SUPPLEMENTARY NOTICES

On the Chinese,

CHIEFLY RELATING TO THEIR MORAL CHARACTER.

(Not before printed.)

We hear a great deal of the dishonesty of the Chinese at Canton, and as to a "sense of honor" amongst them, it is supposed by many to be wholly out of the question. Yet it is, I believe, an incontrovertible fact, that there is no equally great commercial emporium in the world, in which fewer precautions against fraud or dishonesty in the current intercourse of business are taken, or considered necessary. Contracts to a very large amount are constantly entered into, without any of the formalities of stamps or witnesses—often without even being committed to writing; and sometimes with persons hardly known, and almost strangers. There is no regular channel of access to the tribunals of government, for the enforcement of such contracts, in the event of non-fulfil-

ment; nor would there be much hope of obtaining justice at those tribunals, if they were open to us; for the trade is considered by the Chinese laws to be one of barter, or ready money; and contracts, that is transactions implying credit given or received, have been more than once pronounced to be illegal. Under all these disadvantages, I am confidently of opinion, and I think most persons who have had any experience in the Chinese trade will agree with me, that there is no country in which contracts, generally speaking, are more faithfully and punctually executed;—and that, in point of fact, the English who frequent Canton, are in the habit, in the course of their daily commercial intercourse with the natives, of trusting to their honour in a thousand instances, wherein, under precisely the same circumstances, they would in England, have thought it an indispensible precaution to insist upon some further collateral security. Yet with strange inconsistency, these very persons are often found (in the too prevalent spirit among us, of depreciating any thing that is not English) to give currency to the hackneyed assertion, that this people have no sense whatever of honor!

When a pocket is picked of a handkerchief in the streets of Canton, or an instance of the false

package of a bale of goods sent from thence, detected on a subsequent examination in London, we are all too apt to exclaim at the excessive roguery of the Chinese, and to forget that equally atrocious instances of theft and dishonesty, do sometimes occur even in the best regulated and most enlightened commercial capitals of Europe. Is it not, on the contrary, an astonishing fact, and one which might beget humiliating reflections, that a handful of Englishmen, ignorant of the language and customs of the people, are enabled to wander for miles through the crowded suburbs of Canton, with greater security to their persons and pockets, than they could do at the same hour of the day or night in some of the streets of our own metropolis? Again; the property of foreigners engaged in the China trade, is usually entrusted on its passage to and from Canton, that is, between our ships and our warehouses, exclusively to the care of natives, and it amounts every year to some millions sterling.—Yet, how small the loss; the instances of plunder how comparatively rare; how different, in short, from the frightful, and we may hope, somewhat exaggerated picture given some years ago by Mr. Colquhoun, of the plunder going on upon the River Thames, in his account of the state of the police of London!

It is far, however, from my view, to contend for

the extraordinary purity of the Chinese. The average standard of morals amongst them, on a general view of the population, is very probably somewhat *lower* than it is with us. Considering the immense advantage we have over this people, by the possession of the perfect standard of revealed religion, exclusive of all the worldly wisdom derived from our more refined and advanced state of civilization, it certainly *ought* to be so, and it is highly disgraceful to us if it is not so. The fact I am induced to think to be, as was observed by a very intelligent French missionary, lately deceased, who resided many years at Pekin, that the moral as well as the physical capacity of the Chinese is more limited than ours; that with us, while the harvest of virtue and of genius is more abundant, the tares which the enemy hath sown are more luxuriant and abundant also; that is to say, that vice and crime are, with us, more audacious and irrepressible.

Be this however as it may, it is but theory, and may be more plausible than solid; but let us at all events be just, let us remember that the moral condition of any people cannot be estimated *absolutely*, but only *relatively*;—that we cannot draw any just or useful practical conclusions from the best authenticated proofs of demoralization abroad, if we do not at the same time open our eyes to, and weigh them against, that frightful aggregate

of delinquency, which, neither our excellent institutions, nor the influence of our pure religion, is able to prevent from existing and increasing in our own country.

In another sense, chiefly applicable to the higher classes, the Chinese are also said to have been found devoid of all honourable feeling. It is undoubtedly true that they do not adopt our mode of vindicating themselves; they fight no duels.—Yet they *do* occasionally evince a very keen sense of an insult, or an indignity, and readily sacrifice to such feelings their obvious interests. The following case is strongly in point. Not many years ago, the principal Chinese merchant at Canton, whose commercial dealings with the British East India Company were extremely large, and supposed to bring him in an income of about £40,000 a year, was charged with a breach of faith, and he was consequently apprised that one fourth of his customary share of the trade would be taken from him, as a mark of the Company's displeasure. Under such circumstances, any individual possessing the blunted feelings and all-engrossing love of wealth, by which the Chinese are supposed to be universally characterised, would certainly have "pocketed the affront," and have consoled himself under his disgrace with the profits of his trade, which he was still, to the extent of £30,000

a year, permitted to enjoy. This, however, was not *his* conduct. He instantly withdrew from business entirely. He declared, that feeling conscious that he had faithfully and honestly dealt with the British East India Company for a great many years, and that he was perfectly innocent of the charge alleged against him, he could not reconcile his mind to further transaction with them, after they had thought proper to impose upon him this unmerited stigma.

I am far from meaning to allege that the servants of the East India Company in China were wrong in adopting the above measure of censure, although the Court of Directors in England appeared to think so, as they reversed the sentence, and invited the Chinese merchant to resume his original share of their commercial business; but all parties agreed at the time, that this merchant was, *generally speaking*, a man of high character and probity; and the spirit and high feeling with which he met a charge, which he felt to be an imputation on his honour, and alleged to be unfounded, his greatest enemies could not but admire. None would, I am sure, be more ready to do justice to the general merits of this merchant, than the noble and distinguished individual himself, who, in his capacity of a high public servant of the Company, felt it his duty to pass the above censure upon him.

In extenuation of another charge against the Chinese, their want of gratitude, I may, perhaps, be permitted to relate the following anecdote. A considerable Chinese merchant at Canton, a relation of the merchant last mentioned, had some dealings with an American trader, who attempted, and would have succeeded in quitting the port without discharging his debt to the Chinese, but for the spirit and activity of a young officer of one of the English ships. He boarded the American vessel, when upon the point of sailing, and by his remonstrances or otherwise, prevailed on the American to make a satisfactory arrangement with his creditor. In acknowledgment for this piece of service, the Chinese merchant purchased from this young officer, in his several successive voyages to China, on very favourable terms, the whole of his little commercial adventure, and he might thus have been considered to have fulfilled any ordinary claim upon his gratitude; but he went farther than this: after some years he expressed his surprise to the officer that he had not yet obtained the command of a ship. The other replied, that that lucrative post could only be obtained by purchase, and at an expence of some thousand pounds, a sum wholly out of his power to raise. The Chinese merchant said that he would remóve *that* difficulty, and immediately gave him a draft for the amount

required, to be repaid at his convenience. The officer died on his voyage home, and the draft was accordingly never presented; but I have been assured that it was drawn on a house of great respectability, and would have been duly honored.

Both of the preceding instances of high spirit and generosity amongst the Chinese, occurred during my residence in that country. It may be said that these are mere insulated facts, and warrant no general conclusions; but it must be recollected, that it is only upon the authority of such facts in the aggregate, that the moral character, either of individuals or of nations can be estimated; and that even single cases, when of so marked a character, are well deserving of weight, when nothing is brought against them but mere broad assertion and vulgar prejudice.

I am inclined to think that the vulgar opinion respecting the government of China, both in respect to its theory and its practice, is equally inaccurate. As to the *theory*, it is true that in many important respects, it is the reverse of ours. It may readily be admitted that would not suit *us*, or any other European people; but it does not follow that it is not well suited to the people for whom it is designed; *they* are satisfied with it; it wears well, for

it is the oldest upon earth. It has survived a succession of revolutions and civil wars ; each successive family that has obtained possession of the throne, whether Tartar or Chinese, has adopted it, as the best suited to the interests and condition of the vast empire over which Providence had placed them.

Symptoms of discontent and disaffection, no doubt, occasionally exhibit themselves in China. There are not unfrequently plots and secret societies formed against the existing government, and those sometimes break out into insurrection, open rebellion, and civil war ; but it is not the constitution of the Chinese government, as it legally exists, but some local or partial violation of it that is brought into question on these occasions ;—either the local oppression of provincial magistrates, or the higher grievance of the usurpation of the throne by a foreign dynasty, and the occupation of many of the highest offices of state by their retainers. It is not the theory, but the practice that is complained of ; they allege, perhaps, that Tartars are promoted instead of native Chinese ; that one judge is oppressive or severe, and another venal and corrupt ; but it never seems to have occurred to the sufferers, that the discretion vested in the judges in the interpretation of the laws is too great, and that the question of the fact would

be better determined by a "Trial by Jury." The Chinese commercial regulations are certainly the very reverse of that liberal system to which (but with by no means unanimous approbation) we are at present giving an enlarged scope in this country. Foreign trade is by the Chinese system sadly circumscribed, and with the exception of one seaport, foreign merchants are excluded altogether; but this, right or wrong, is, as far as appears, perfectly in accordance with the actual state in China of public opinion. There is good reason to believe, that any Chinese sovereign who should publicly renounce his absurd claim to universal dominion, and authorise free commercial intercourse between his own subjects and those of other states, would not long retain his sceptre.

In justification of this opinion of the merits and advantages of the *theory* of the Chinese constitution, I shall extract a few lines from the able and important remarks on the Chinese National Code, which appeared some years ago in the Edinburgh Review.

"It is," says the Reviewer, "a calm, concise, and distinct series of enactments, savoring throughout of practical judgment and European good sense; and, if not always conformable to our

improved notions of expediency in this country, in general approaching to them more nearly than the codes of most other nations. When we turn, indeed, from the ravings of the Zendavesta, or the Puranas, to the tone of sense and of business of this Chinese collection, we seem to be passing from darkness to light—from the drivellings of dotage to the exercise of an improved understanding: and redundant and minute as these laws are, in many particulars, we scarcely know any European code that is at once so copious and so consistent, or that is nearly so free from intricacy, bigotry, and fiction. In every thing relating to political freedom or individual independence, it is, indeed, woefully defective; but, for the repression of disorder, and the gentle coercion of a vast population, it appears to us to be, in general, equally mild and efficacious. *The state of society for which it was formed, appears incidentally to be a low and wretched state of society;* but we do not know that wiser means could have been devised for maintaining it in peace and tranquillity."—*Edin. Review for Aug.* 1810, *p.* 482.

In the spirit of the foregoing remarks, with the exception of the sentence in italics, (which, though not unfounded, is, I conceive, too broadly stated,) I cordially agree.

But, it may be said, what signifies the *theory*, if the *practice* does not correspond with it—what signify good laws, if negligently, corruptly, or oppressively administered. It is important, therefore, to inquire, as far as our slender means will allow, into the *practice* of the Government: and here, if we admit at once that the practice greatly differs from the theory, it is no concession at all against the Chinese, but merely an admission that their institutions are not exempt from those obstructions in their operation which all other human, and even divine institutions, are liable to meet with, from the ignorance and the evil passions of mankind. If, as Soame Jenyns has observed, "Christian nations were nations of Christians," that is to say, "if the professors of Christianity literally practiced what they professed, wars would cease, and civil strife would be no more." The question therefore is only one of *degree*.

With the view of endeavouring to determine this point, I shall not appeal either to the flattering picture drawn by the early missionaries, or to the vituperative sketches presented to us by most modern travellers. Both classes of our historians of China, but especially the latter, saw only in part, and described what they saw, more or less under the influence of prejudice. There is certainly no

great disposition in *any of our modern historians* to draw very flattering portraits. Take for instance, Le Roi Flagis sur L'etat de la Russie, and Dr. Clark, or Dr. Lyall, on the political state of the same country ; or (to look to a more analagous case) Mill's history of the government of British India. Not only the high wrought eloquence which was brought to bear on the imputed mal-administration of Mr. Hastings, but the cool and deliberate statements of the chief historian of that branch of our empire, Mr. Mill, represent the system of our government there, as little better than a total failure.

Setting aside therefore, all such conflicting testimonies, let us rather judge of the tree by its fruits, some of which I rather think we shall find to be wholly inconsistent with the hypothesis of a very bad government, or a very vicious state of society.

On this subject, I beg first to quote the testimony of Mr. Ellis, my colleague in the last British embassy, whose impressions respecting China led him to form in many instances, opposite conclusions to mine ; but to whose scrupulous fidelity to truth, in all instances, as well as honorable and indefatigable zeal in the cause in which we were jointly embarked, I can most cordially subscribe ; and whose extensive acquaintance with Persia and

India, rendered him a peculiarly competent judge of comparative merit in this case. He pronounces "China superior to the other countries of Asia, both in the arts of government and the general aspect of society;" and adds, that "the laws are more generally known, and more uniformly executed;" that "those examples of oppression, accompanied with infliction of barbarous punishment, which offend the eye and distress the feelings of the most hurried traveller in other Asiatic countries, are scarcely to be met with in China." That "the proportion which the middling order bears to the other classes of the community," appeared "considerable;" that "compared with Turkey, Persia, and parts of India, an impression was produced highly favorable to the comparative situation of the lower orders;" and that "of that degree of distress which might drive parents to infanticide, there was no appearance."* These statements, proceeding from a writer whose general opinions are certainly not very favourable to the government or people of China, have the greater weight. I should be disposed to add my own testimony to the same facts, and in the same spirit. In the course of our journey through the Chinese empire, on the occasion of that embassy, I cannot recal to my

* Ellis's Journal of Embassy to China in 1816, p. 431.

recollection, (the seaport of Canton of course excepted,) but very few instances of beggary or abject misery among the lower classes, or of splendid extravagance among the higher; and I conceived myself enabled to trace almost universally throughout China, the unequivocal signs of an industrious, thriving, and contented people.

After all, it is far from being intended to insinuate that there are not great defects in the administration of the government in China; that the tribunals of justice are not too often venal and corrupt, and their retainers rapacious and extortionate. But it is inferred from the general prosperity of the country, that these vices of the system, though they undoubtedly exist, have been generally exaggerated. That this should be the case at Canton, the spot from whence Europeans generally receive their information, and to which their own experience is practically confined, is quite natural. The Chinese merchants by whom all charges on the trade are paid in the first instance, under the expectation of being able to reimburse themselves by the sale price of their goods, have of course a direct personal interest in exaggerating the amount of these charges; and when reduced to their real amount, considerable farther deductions must still be made for the amount of the regular legal fees of

office, and of those customary presents which are given and received in all Asiatic states, without any corrupt motive; the remainder is the actual amount of the pecuniary grievance, that is, the gross sum paid to obtain justice or to avert injustice. It is certain that the actual pecuniary burthens upon the trade, whether legally imposed or illegally extorted, are not in the aggregate oppressive. There can be no doubt, that with our immense annual demand for the produce of China, even under the burthen in England of a cent. per cent. duty on the sale value, the export duty in China might be considerably raised by the Chinese with impunity; and I suspect we should not meet with their present moderation in any state practically acquainted with the financial systems of Europe. Almost every thing that is really vexatious and oppressive on the part of the government towards foreigners at Canton, arises, not from its ill will, but its ignorance and its fears; their ignorance of our character, produces groundless fears of our designs, and consequently precautionary restrictions which are harrassing and vexatious; and *just* grounds of jealousy, cannot be said to be *altogether* wanting: for, under the most favourable interpretation, the position and progress of the English in India, can hardly be expected to be contemplated by the Chinese with indifference.

When its jealousies and fears are not awakened, I have always found the Chinese government courteous to strangers, both in practice and in principle. In the late embassy, in 1816, notwithstanding the irritation produced on both sides by its abrupt dismission, the orders of the government to *soothe* as well as control, were very precise; and the zeal, patience, and good humour, with which the Chinese officers, generally speaking, devoted themselves in consequence to the service of the embassy in its progress through the country, I think would not have been exceeded, under similar circumstances, in more civilized countries. The treatment of the crews of shipwrecked mariners stranded on the Chinese coast, illustrates the same principle. However remote the spot may be, they are invariably taken care of, and conveyed overland to Canton at the expence of the state, for the purpose of enabling them to return from that port by sea to their own country. An interesting narrative of the journey to Canton of the officers and crew of an English vessel, lost on the coast of Hainan, was published some years ago. The wreck was previously plundered by the half-savage natives of that island, and the crew suffered some hardships on their journey, which might have been mitigated, if not wholly prevented; but they certainly owed their safety and ultimate restoration to their native land, to this hospitable maxim of Chinese policy.

Chinese Literature.

It must be confessed that our great orientalist, Sir William Jones, whenever he writes about the Chinese, seems completely out of his element,—completely at fault upon their language, history, antiquity, and in short, upon every thing which relates to that people. This may be thought extraordinary, considering the universality of his talents and genius, especially as applied to all points connected with Asia and its inhabitants. The case of China is, to be sure, an exception to all general rules; it would not harmonize with any system or theory which he could form, reasoning upon general principles; and as he never was actually in that country, or placed in a situation to associate at all with the *people* of China, he never in fact possessed any fair opportunity of knowing either them or their language. Their language he certainly did *not* know, whatever may seem, in his published writings, to prove to the contrary. The remark in his own hand-writing, in a blank page of a Chinese dictionary, presented by him to the Royal Society (in which he laments the omission of the words commencing with the letter A and B, although there are in fact none such in the Chinese language), is on this point decisive. As to the fact

of his having, by the aid of such a dictionary, found out the meaning of a few individual characters in a Chinese poem, of which he was previously in possession of a regular translation; it evidently proves nothing, especially in the case of an individual of his extraordinary readiness and ingenuity. It is also to be observed, that when he sums up the several languages with which he had made himself more or less acquainted, he distributes them into three classes, eight in the *perfect*, eight in the *less perfect*, and twelve in the *least perfect* division; and he places the Chinese the last of the last class, pretty clearly evincing thereby that he did not himself hold his knowledge of that language in much estimation. This is, however, no disparagement to Sir W. Jones. China was as distinct from the ordinary objects of his pursuits, as Lapland or Peru, and he was under as little obligation to occupy himself with the one as the other. It would have been on the contrary, a great misapplication of his time, to have endeavoured to sound the depths of Chinese literature; he had quite enough, even for *his* great genius, already on his hands, without crossing the Ganges.

The life of this accomplished scholar has been ably written by Lord Teignmouth; his various and distinguished talents are shown by his Lordship, to have been united with an amiable and highly

honourable character; and, especially, with a deep sense of religion and of the truths of Christianity. This last point, Lord Teignmouth dwells on, and justly, with much complacency; for such an example is calculated to have great weight, even with the sceptical, and cannot therefore be too generally known.

The Chinese symbolical character has been supposed to possess a great advantage over the alphabetical, from its capacity for generalization, and its greater universality as a medium of communication. It being, like Bishop Wilkins's real character, the immediate representative of ideas or things, and not merely of words or sounds; it has been supposed to be particularly adapted for universal use, and to be wholly free from all the peculiarities of idiom and locality. But this is far from the case, and the whole theory founded upon it, is consequently erroneous.

The Chinese written character is, no doubt, understood in Cochin China, Japan, and in all those other Asiatic countries whose inhabitants are descended from the same original stock; but this would equally have been the case, had the language been alphabetical; and it does not appear that the Chinese language is known to, or has been adopted by any other. Whenever a people are arrived at

such a degree of civilization, as to possess a body of literature, that is to say, works in their own language, extensively read and preserved, their language cannot be lost, whether its character be alphabetical or symbolical. Greek and Latin is thus preserved by the nations of Europe; and the English language will be perpetuated in North America, and the Spanish in South America, in the same manner as the Chinese is at this day in Japan and Cochin China. A few new words will be introduced occasionally in the one instance, and a few new characters in the other; but the unity will be substantially preserved. The alphabetical character has, in fact, a superiority; for it secures, to a certain degree at least, an identity of pronunciation.

Mr. Marshman's dissertation on the Chinese language, however open to criticism, is certainly very creditable to its highly respectable author; especially if we consider the difficulties of the subject, and the very unfavourable position in which he was placed in India for investigating it. This first part, respecting the characters, is generally correct and sufficiently judicious. He lays, however, I think, too great a stress upon the component parts of the characters, which, however interesting and curious in respect to their etymology, convey, in the present state of the language, no certain information

whatever in regard to their actual meaning. The key or radical will of course be the first thing considered in a Chinese character by every student; but any critical inquiry into the remaining portions of the character, will, I suspect oftener lead to error and perplexities, than to useful practical conclusions.

The second part, respecting the pronunciation, calls for several remarks. I admit that his system and view of the subject is ingenious, and derived from what must be acknowledged to be an authentic source. Still it is any thing in the world rather than a real practical explanation of the sounds of those syllables which form the Chinese language. In the first place, the syllables are given, not in the Mandarine or Nankin dialect, (which is the *lingua Toscana* of the Chinese,) but in that of *Hiang-shan*, or Macao, a corruption of the Canton dialect, that is to say, a corruption of a corruption. Secondly, he assumes the number of distinct syllables to be 840, and these he sub-divides by means of intonations, first as far as 2178, and then again to 4050; whereas, *in point of fact*, all the syllables of the Chinese language, as it is at present spoken, amount to no more than 459, including aspirates; and these after being sub-divided according to all the distinctions of intonation, do not exceed 1355.

This system, although, in the present state of the language, completely at variance with the fact, is to be found in the Imperial Chinese Dictionary of *Kang-hee*, it is therefore of importance historically; and, as illustrating the formation and growth of the language, is interesting to the philologist. Thus in our own language, many things are recorded in the learned preface to Johnson's Dictionary, which would be quite superfluous in a practical grammar of the language composed for the use of foreigners, and the common purposes of life.—Unfortunately, the jargon which Mr. Marshman has adopted renders the whole a mass of confusion. A full and true elucidation of the scheme of the Chinese language according to *Kang-hee*, must therefore be admitted to be still a desideratum with the philologist.

The third part describes the nature of the grammatical construction of the language, and the arrangement of the dictionaries, and is a fair account as far as it goes; but it is disfigured like the former part of the work, by the use of the Macao dialect. I cannot, however, at all agree with him in opinion, that the works of Confucius are proper models of Chinese style, or in any way of much practical utility in learning the language. The natives themselves, even the most learned, do not under-

stand them thoroughly ; words are constantly used in senses antiquated, if not obsolete ; the construction of the sentences is peculiar, and often very abrupt and obscure ; and the subject, generally speaking, is remote from the common business of life. Little as the Chinese are given to innovation, and slow to change, it would be a phenomenon indeed, if the fashion of more than two thousand years back, had not in some degree " passed away."

LETTER

TO A

Member of the Select Committee

OF THE

EAST INDIA COMPANY'S ESTABLISHMENT AT CANTON,

UPON THE DUTIES OF HIS APPOINTMENT.*

H. C. Ship Wexford, at Sea, August 27, 1814.

To ————

Sir—Your late promotion to the situation of a member of the select committee, having conferred on you a direct share in the management and regulation of the Honourable Company's affairs in China, it has, at the same time, subjected you to a

* The following remarks on the duties of the Company's servants in China, were put into the form of a *Letter*, merely as a memorandum for the Author's *own* guidance, upon his being placed in the situation in question. He has been now induced to insert it in this place, in the hope that it contains some hints that may be found useful. Some of the allusions will not be altogether obvious to the general reader, and others apply to a state of things which has ceased to exist; but the Author preferred printing the Letter precisely as it was written, and as it remained ever since in his port-folio.

serious and important responsibility; and it has moreover conferred on you a certain degree of elevation and distinction in the circle of your present society, which, as it necessarily brings your private, as well as your public and official conduct, more into general notice, and consequently gives an additional degree of influence to your example, renders it incumbent upon you to act with encreased caution and circumspection in all your future proceedings.

The duties which your new office either imposes on you, or renders in a more peculiar manner obligatory upon you, may be considered in three points of view;—first, as regards your employers, the East India Company;—secondly, as regards your colleagues and associates in business, and, generally, those persons who constitute the society of which you are at present a member; and, lastly, as regards the government and people of China.

In the capacity of supracargo, you have already more than once had occasion to take the customary oath of fidelity to the Honourable Company; but, even if no oath of this description had been required from you, the simple fact of your holding an office, and receiving emolument in their

service, would still have equally bound you, both in conscience and in law, to discharge, with honesty and fidelity, and to the best of your abilities, all the several duties which arise out of the situation of which you have undertaken to perform the functions.

Hitherto, your official duty has chiefly, or I may say entirely, consisted in the execution, with zeal, diligence, and punctuality, of such part of the previously determined arrangements of your superiors, as might be committed to your management. Henceforward it will rest with you, moreover, to deliberate, and, in conjunction with your colleagues in the committee, to decide, upon the expediency of those arrangements themselves.—The three qualities more peculiarly essential to the due performance of this *new* duty, are judgment, discretion, and scrupulous integrity. The first rule, accordingly, to be laid down is, that in all and every transaction and proceeding connected in any manner with the affairs of your employers, the promotion of *their* interests be your first object; in other words, this must be the influencing, as well as the adequate motive, of all your decisions respecting, or in any way affecting their affairs.

I do not by any means say, that you are to carry your scruples to such an absurd extent, as to hesitate about giving your consent to a particular measure, acknowledged to be beneficial to your employers, simply because it happens to be likewise beneficial to yourself; but it certainly behoves you, in all cases in which the interests of your employers, and any private objects of your own happen thus to coincide, to be more than usually careful in satisfying yourself that the alleged *public grounds* of the proposed measure are true and sufficient; and that the *private considerations* upon your mind, whatever they may be, do not in any manner warp your judgment, or improperly influence your determination. In point of fact, however, you will run little risk of falling into an error in this respect, as long as your *intentions* are really perfectly honest and pure.

Nearly connected with the above article of your duty, is another, which is this: that whenever you have to explain your conduct and proceedings, either verbally to your colleagues, when met in council, or afterwards, when writing for the information of your employers, you are to state the circumstances of the case, and the motives which influence you, as clearly and perspicuously as you can, and (to the best of your knowledge and be-

lief,) precisely such as they are: that is to say, there must be no mental reservation on your part, no deviation from substantial truth, neither systematically nor occasionally, nor under any pretence whatsoever. Here, again, I must add a few words, to provide against being misunderstood. I am far from intending to recommend or require from you, to enter into tediously minute and unnecessary details upon all the occasions which may come under your consideration. So far from wishing to give additional extension to the recorded narratives of the committee's proceedings, I think it would be very beneficial to the public service, if they could be reduced within somewhat narrower limits than has of late been customary. What I wish to inculcate is, that I hold it essential to the faithful discharge of the duty of any member of the select committee, whether as president, in drawing up the proceedings, or in adopting those drawn up by the secretary under his instructions; or, as a junior member, in framing his own individual minutes and remarks, to adhere, on all occasions, substantially to the truth; and not to suffer himself to be drawn away from it by any pretexts, however plausible they may appear.—Such, for instance, as those of facilitating the routine of business, and promoting what he conceives to be the Company's *real* interests. As far as

regards the public and the community at large, a member of the select committee is, no doubt, bound to observe, upon many points connected with his official transactions, a strict degree of secrecy; and upon all of them probably, a certain degree of closeness and reserve is commendable: but towards his employers, the East India Company, and in regard to his official transactions in their service, he can properly have no secrets, no reserve; every thing ought to be open and avowed. His employers have not only a right to his best services, in contriving and adopting such measures and plans as in his opinion may be the most conducive to their interests; but they have also a right to be furnished by him with a true and undisguised statement of the measures and plans themselves; to the end that they may be enabled, as far as circumstances will admit, to form their own judgment respecting their utility and propriety. This, no doubt, will be sometimes very difficult, as well as inconvenient, and lead to a prolongation of the correspondence, by discussions and explanations, which it would be much more pleasant and satisfactory to avoid;—as for instance, where a deviation from orders or established practices is rendered necessary, by circumstances of which none but those who are personally present upon the spot, and possess local knoledge

and experience, are capable of being competent judges. In such cases the facts must be truly and unreservedly stated ; the necessary and unavoidable imperfection of the explanations offered upon them, candidly acknowledged, and an appeal formally made to that general confidence, which the Directors must necessarily be supposed to place in the skill and fidelity of those whom they intrust with the management of the affairs of the Company under such difficult circumstances.

I take it for granted that, conformably to the express tenor of your covenants, you have taken care to avoid entering into any engagements, or placing yourself in any situation which offers direct temptations to swerve from your duty. I mean, that you are not anywise implicated or involved, directly or indirectly, by way of commission or otherwise, in any species of traffic or adventure, with the Chinese merchants. But there is another practice which has so long been prevalent, and the blamelessness and unobjectionable nature of which, is seemingly so fully warranted by the examples of the most scrupulous and respectable of the former servants of the Company on the establishment, namely, that of placing sums of money at a high, but customary rate of interest, in the hands of the Chinese Hong merchants, that I cer-

tainly may be allowed to suppose, that however careful you may in general have been, in withdrawing yourself from every *ordinary* species of speculation or interference with the Chinese merchants, you are nevertheless, in the relation of debtor and creditor, in some degree connected with some of them. This connexion, upon your obtaining a seat in the select committee, it would, I must say, be your immediate duty to dissolve, by withdrawing the whole of your property from their hands; provided this could be done without injury to them, or serious loss and inconvenience to yourself. Unfortunately, however, the affairs of the greater number of the Chinese merchants are at present in such a state, as to render the final settlement of your accounts with them, a very problematical, as well as distant event; and it is one, besides, over which, consistently with your duty to your employers, you can exercise no direct controul or influence. You might, indeed, withdraw yourself from this connexion by selling all your chops or bonds; but, it is to be observed, that besides the serious loss you would incur probably by so doing, you might have little merit in the sacrifice, as, in guarding against a bias in favour of the creditors of the merchants, it is impossible to say how far you might be exposing yourself to an equal degree of culpability, by fall-

ing into the opposite extreme. It will suffice, therefore, for you to be in a particular manner careful, that your *personal* interest in the success and fortunes of the Chinese merchants, whatever it may be, have no influence whatever upon your conduct and official dealings in regard to them, in your capacity of agent and representative of the East India Company. This you will perhaps say, is sufficiently plain and obvious; but there is another species of influence, against which you may not, perhaps, be equally on your guard. You must recollect, that *every* deviation from the strict line of your duty, *every* disposition to promote private views at the expence of public interests, however entirely free from *selfish* considerations, and influenced only by the most amiable feelings of regard and friendship to individuals, is still in the highest degree inexcusable; we must be *just* before we are generous. Motives of kindness and humanity ought to have no place or operation here, except in as far as they may be distinctly avowed and recorded. It is even necessary to guard you in this place against the effect of mere clamour and importunity; you may sometimes be tempted to favour or support embarrassed and undeserving merchants, simply from indolence, and a regard to your own ease and convenience.

On the other hand, there is no doubt that the

British creditors of Chinese merchants, may very justifiably be aided and supported by your vote and interest, to a certain extent; avowedly, and on clear public grounds: and as long as you can conscientiously satisfy yourself that such are the adequate grounds of your proceedings, you may feel perfectly easy. In this case, your conscience, aided by your adherence to the rule of always acknowledging unreservedly and duly recording your motives, will be an unfailing guide.

In respect to your official transactions with the Chinese merchants; after having satisfied yourself of the perfect integrity of your motives, the next thing is to endeavour to divest yourself as far as possible of *prejudice*. Prejudice is a failing to which even the wisest and best of mankind are, to a certain degree, liable; but it is one which in its effects in some cases, may prove no less injurious to the interests of those whom you serve, than even the want of integrity itself; and it is consequently, to the utmost of your power and ability, to be guarded against. Prejudices may be either in favour or against, either general or particular. Prejudices entertained *against* the merchants *generally*, must necessarily dispose you to treat them distrustfully, disrespectfully, and offensively; this manifestation of your prejudices against them, will naturally provoke and excite corres-

ponding prejudices on their parts against you :— you will thus become unpopular and obnoxious, and you will consequently lose all those opportunities of serving your employers in your intercourse with the merchants, which a more conciliatory and engaging system of conduct might have afforded you. On the other hand, prejudices *in favour* of the merchants *generally*, that is to say, a careless, or excessive and overweening confidence in their credibility and integrity, will render you liable to delusions and deceptions of the most dangerous nature, and perhaps, lead you to hazard the property of your employers in the hands of persons, whose defect of honesty, or total want of pecuniary responsibility, render such a confidence in them on your part, highly improper and reprehensible.

The foregoing observations will also in great measure apply to cases of prejudices for or against particular individuals ; with this addition, that the latter, from causes of a personal nature, will still more easily insinuate themselves into your mind, are more difficult of detection, and are more various and complicated in their consequences and effects. Your feelings in such instances may often operate so as to have the effect of misleading your judgment, without your being yourself at all aware of

it; it is therefore always your duty to suspect the existence of some such bias in your own breast, whenever you find your sentiments respecting the merchants, generally or individually, very much at variance with those entertained by your colleagues; and this, the more especially, when you find yourself, upon reflection, not possessed of very strong facts or arguments in defence and support of your own opinions.

The last quality I shall recommend to your notice in this place is, prudence or discretion.—You must always recollect, that the Company's trade is not a new or a chance speculation or adventure, in which there is much to be gained, and comparatively little hazarded: but that it is already a great, important, and flourishing establishment; and one, in respect to which, (though it certainly can by no means be held to be incapable of still further extension and improvement,) the great, and by far the first object, is to preserve and retain unimpaired, what we already possess; and which object, therefore, is to be on no account at any time lost sight of, or unnecessarily hazarded in the pursuit of possible amelioration and contingent advantage.

I now proceed to the second division of my

subject, namely, the proper line of conduct to be adopted by you with regard to your colleagues; your countrymen; and, generally, the society with whom you reside, and of which you are now in a situation to be, in many respects, a *léading* member.—Here I may begin by remarking in general, that all those good qualities and approved habits, which would have been commendable and becoming in you at an earlier period of your residence in China, will, with little exception, be doubly becoming, and doubly commendable in you on the present occasion; and I should probably express myself still more justly by saying, that your recent promotion in the service, having given additional consideration to your character and influence to your example, your want of the habits and qualities alluded to, would be doubly lamentable and reprehensible.

There are some particular points, however, which it may be useful here to specify, as more peculiarly appearing to require the directing attention and influencing example of the *seniors* on the Company's establishment. These are, decorum of general conduct, discountenance of gambling of every description, private and personal order and and economy, and a marked degree of zeal and promptitude in every thing connected with the

execution of the public service. In all these several respects, if the *seniors* on the establishment do not by their authority, by exhortation when a proper opportunity offers, and most of all, by their example, give a *right tone* to the society, it is certainly in vain to expect it from the *juniors;* and the evil consequences which must result to all parties, from any unrestrained prevalence of licentiousness, intemperance, gaming, pecuniary extravagance, or coldness and indifference in matters of public and official duty, must be so readily conceived and anticipated, that it is unnecessary for me to dwell upon them. What I have said, however, regarding the exertion of the *authority* of your station, I must qualify by observing, that this can only apply to your case in a very limited and confined sense, except in the event of your succeeding to the *chiefship;* and even then, I would wish to remind you, that the exercise of authority over persons who are your equals in every respect, the casual circumstance only excepted, of your rank in the service, and of your being appointed to a superior office in it by your employers, ought, in a more than ordinary degree, to be tempered with conciliation and forbearance. You will hardly, therefore, pretend to establish within the Factory, any thing like military subordination and obedience, or even to exact, to the full extent,

that degree of submission and deference, which in some other great public establishments may be customary, as well as in itself just and reasonable. At the same time, I should ill advise you, as well for your own interests, as for that of the society which I am supposing to be subjected to your superintendance and controul, if, on the other hand, I were not with equal seriousness to protest against any indulgences or allowances on your part, by which the dignity and authority of your office might be essentially committed. You have a right to expect that your orders for the due execution of the public service, should be promptly and cheerfully executed; you will, indeed, endeavour in the first instance, as far as circumstances will admit, to convince the understanding, and conciliate the good-will of those to whom your instructions are addressed; but if these means fail to dispose them to that compliance which is within the sphere of their powers and abilities, and which the interests of the Company may require, it is not only allowable, but your bounden duty, to *enforce* your orders by the exercise, to their full extent, of the power and authorities with which you are invested.

It may not be amiss, in this place, to add a few words respecting the line of conduct which it may

be most advisable and proper for you to pursue towards your colleagues in the select committee; I mean that part of your conduct which immediately relates to the joint service in which you are engaged.

The advantages attending the preservation of a perfect unanimity and cordiality throughout the whole course of your official proceedings, both to the members of the committee themselves, and to the Company, whose interests are under their management, are so obvious, that I need not insist upon it; and it is equally plain that the advantage of such a good understanding amongst you, however great it may be, ought not to be purchased by any compliances on your part, which you may have reason to think inconsistent with truth, honesty, or justice; or with the regard due from you to the security and prosperity of the affairs of your employers. In other words; you are carefully to abstain from all contentious opposition about forms and trifles; you are to give your active and zealous concurrence upon every measure which you have satisfied yourself to be right and expedient; you are to accommodate and conciliate also, as far as possible, in all things which seem doubtful or indifferent: but every proposition which you conscientiously believe to be wrong and unwarrantable, it is your duty, firmly

and decidedly to resist. When circumstances permit, you will, in the first instance, endeavour privately to *dissuade;* when that is ineffectual, it will be necessary for you openly to *protest;* but your manner of doing this must be as much distinguished by its courtesy and moderation, as it is by its firmness and decision. The introduction of any topic or style of language which is needlessly irritating or offensive, whatever the justice or importance of the argument may be, is always reprehensible, and often injurious to the cause it is intended to promote.

With regard to the last division of my subject, much that I might have said, is already anticipated in what has been urged with respect to the line of conduct proper to be observed in your official dealings with the Hong merchants. The same spirit of conciliation, the same circumspectness of behaviour, the same exemption from prejudice, which has been recommended in the former case, is equally requisite in your intercourse with the natives of China generally, of whatever class or description. With regard, however, to your negotiations and occasional interviews with the officers of the government, a few additional remarks may not be superfluous.

Your intercourse with the Chinese Mandarines

will be either confined to occasions of mere compliment and ceremony, or will arise out of the necessity of discussing with them those serious questions of public business, which often involve in their issue the interests and safety of the whole British trade and intercourse with the Chinese empire.

With regard to communications of a complimentary nature, whether personally or by letter, it may be sufficient to recommend to you, generally, to testify a disposition to meet the wishes of the Chinese, and to shew them as much cordial civility and real good breeding, as their manner of acting and behaviour towards yourself, and at the same time a due regard to your own place and dignity, may be found to allow. The Chinese, generally speaking, are too well acquainted with the various rules and ceremonials prescribed by etiquette, as well as scrupulously observant of the manner in which they are performed by others, ever to neglect them, except expressly and by design, themselves. You will therefore do right to mark, in a becoming manner, your sense of every such omission on their part; but you will at the same time recollect, that whatever degree of scrupulousness you thus exact *from them*, must be always in the fullest extent, observed *towards them* by yourself. The Chinese will, no doubt, be often willing enough to impute your omissions to ignorance of their customs

and manners; but this acknowledgment is seldom made without being accompanied by a certain feeling of disgust and contempt. A Chinese, prepossessed against foreigners, though he might acquit them in such instances, of pride and malignant intention, would always find in them fresh proofs of their barbarism and stupidity.

In respect to your intercourse with the officers of the Chinese government upon matters of official business, that is to say, negociations with the provincial Mandarines, for the purpose of either maintaining your rights and privileges; justifying or explaining your conduct; soliciting favour or protection; complaining of or resenting injustice, oppression, and corrupt influence; or for any other purpose, upon which the interests of your employers or your nation may call for your exertions; these are all points which may engage you often in tasks of the highest delicacy and difficulty; but so much will always depend upon the peculiar circumstances of each case, that it is only in a very cautious and qualified manner, that it can be attempted to lay down beforehand any general rules for your guidance. Thus much, however, may be safely advanced. The first thing you will generally have to do, will be to state your facts and arguments in a clear and perspicuous manner,

equally avoiding on the one hand, the degrading and humiliating style of address, which the Chinese officers and merchants may wish to prescribe to you; as, on the other, all expressions, which, without being essential to the promotion of the object in view, as well as warranted by its importance, may be likely to produce irritation or give offence. Your judgment will also be abundantly exercised, both in the selection of proper topics, and in the manner of bringing them forward, so as to have the most weight with those particular individuals of this very peculiar people and government, with whom you may happen to be negociating. Your general experience of the modes of thinking and style of reasoning common with the Chinese, which you must have acquired during your residence among them, will have long since convinced you, that in order to succeed with them, you must in many instances adopt a method and plan of proceeding, very different from that which you might deem the most expedient and proper under similar circumstances in Europe. I am not prepared to state any particular instances of this; but I think, however difficult it may be to describe, it will be readily felt and conceived by most persons who have had any considerable opportunity of observing Chinese manners, and the Chinese moral and intellectual character. The next point, and which is of the

most essential importance, is to proceed throughout the whole course of your negotiations upon one uniform principle of action, your adhering to which may prove your firmness, no less than your adoption of it, your moderation. In order to do this, you must never commence any discussion with the Chinese authorities, without previously anticipating in your own mind, and fully preparing yourself accordingly, for the *least* favourable of all the possible results. You must, if possible, avoid taking a single step, the consequences of which may take you by surprise, and without a plan and a course to pursue. You must never *assert* more than you certainly know to be *true*, nor hold out any threat, or declare any purpose, which you do not intend, or do not feel yourself fully prepared to execute. You may, notwithstanding all these precautions, be liable to find yourself sometimes placed in a very unpleasant and embarrassing predicament, and it may be in the highest degree perplexing to you, to be compelled to take the most important and decisive steps, while all the grounds upon which you are to act, are involved in the most mortifying uncertainty, and impenetrable obscurity. Your ultimate success will, in all such cases, depend in great part upon matters not under your controul; but by pursuing the above course, whether you are successful or

not, you will at least get through your difficulties without loss of honour, and also with the best chance of safety: whatever may be the result, your employers and your country will see, that though you could not command success, you did every thing in your power to deserve it.

I shall conclude this letter with a few remarks on the extent to which it may be considered that obedience is due by you to the mandates of the Chinese government. As a general principle, it cannot be questioned, but that we are bound in all ordinary cases, to submit to the laws and institutions which we find established in the country in which we reside; and that, simply by the circumstance of our coming to China to trade, we do implicitly engage to submit to all the terms and conditions which the Chinese government has, in its wisdom, deemed proper to annex to our admission. Accordingly, if, in point of fact, the laws and institutions concerning foreign traders, and the terms and conditions imposed upon foreign trade in China, had been unequivocally declared, and irreversibly determined by the government of China, however we might have to regret and to deprecate the consequences of such a system, it would at least have had the effect of determining a great portion of those doubtful and embarrassing

questions, which at present we are so continually occupied in discussing. But the contrary is the fact; the regulations under which we are supposed to act in China, are, in many respects, not only equivocal in terms, but doubtful and contradictory in fact; and the gradual improvement which has long been taking place in the practical application of these regulations, renders it pretty obvious that they are very far from being either unchangeable or irreversible. The written laws and edicts which were originally promulgated upon the first opening of the port of Canton to European traders, were so harsh, oppressive, and degrading, that they could not, even at the very outset, be strictly enforced; and they have since insensibly either become entirely obsolete, or in practice have been so modified or evaded, as at length to produce that strange and anomalous arrangement which at present subsists; and which, however vague, uncertain, and precarious, cannot be condemned as altogether unfavourable to us, since it in fact permits us to carry on, from year to year, with considerable ease and facility, one of the most important and profitable branches of British commerce.

To maintain, accordingly, the present order of things, against every encroachment or attempt at a change for the *worse*, and at the same time to be

on the watch for, and prepared to take advantage of every fair, peaceable, and legitimate opportunity that may occur for effecting a change for the *better*, is obviously a duty to be always kept in view, in your transactions of a political nature; and it is one which is not more consonant with policy than with justice.

The grounds of your opposition to arbitrary acts of the provincial government, or of your non-compliance with any of its unjust decrees, may be established, either by an appeal to written laws; to ordinary practice and former precedents; or, lastly, to the general principles of justice and equity, such as are recognised and respected in all civilized countries. The appeal to written laws will seldom be in your power; but when it is, it will be the most satisfactory, being the most likely to be effectual and decisive; but the appeal to custom and precedent, though considerably more open to dispute, as well as more difficult of proof, will never, when really justified and supported by facts, be wholly disregarded by the Chinese; and even the appeal to the general principles of equity and justice, when made in a proper tone and manner, will seldom fail to make a considerable impression. In this latter case, indeed, as the notions of the Chinese respecting

justice and equity, are not in all points precisely the same as our own, to succeed in convincing their understandings, you must endeavour to put yourself, in some degree, in their place; and to adopt in some sort, what you have reason to consider to be, *their* feelings. Your style of reasoning must moreover be natural, obvious, and of universal application; not refined, artificial, or national. It is still more essential that you should avoid every thing that is *underhand* or disingenuous; especially all secret and unavowed contrivances, which, when detected, never fail both to disgrace the *actor*, and to frustrate the *object*. In general, it is probable that you may safely oppose the unwarrantable acts of the provincial government in all cases in which there are good grounds or sufficient authority for believing that such acts, if *truly* reported, would not be capable of justification at Pekin; and you may also, for the most part, consider yourself secure in carrying your opposition to the same extent that it had been already successfully carried before, under similar circumstances. When you have to *travel out of the record*, and to quit the beaten track of custom and precedent, the most consummate prudence and discretion are indispensable. It is impossible to say that you may not sometimes be subjected to this necessity; but it will, in every

such case, require, in the first instance, your most serious consideration to determine, that the hazard which you propose to incur is not greater than is fairly warranted by the emergency.

I am,

Sir,

&c. &c.

ABSTRACT

OF THE CONTENTS OF THE FOLLOWING CHINESE WORK

ON THE

Vaccine Inoculation,

Originally written in English, by Alexander Pearson, Esq. *translated into Chinese by* Sir George Thomas Staunton, Bart. *and printed at Canton in* 1805, *at the expence of the East India Company, under the direction of James Drummond, Esq. (now Viscount Strathallan) then President of the Select Committee, and with the sanction of Gnewqua, a Chinese merchant of the privileged class.*

Origin of the small pox—when and where first known—its dreadful ravages on the human frame and race.—First introduction of common inoculation, a remedy, but an imperfect one—description of it.—At length the vaccine disease is discovered in England—certain persons employed in milking cows are found not to contract the disease of the small pox.—This fact comes to the knowledge of Dr. Jenner—he investigates the cause—discoveres blue pustules on the udder of the cow, and conceives the idea of applying the matter arising therefrom, to the human body, as a preventive to the contagion of the small pox.—On experience it is found that on the fourth day, a pustule appears—on the eighth or ninth it fills with matter, and on the fourteenth disappears.—The practice is approved, and extends all over Europe, Asia, and America—millions are thus inoculated and protected against the ravages of

the natural small pox. The king of Spain, highly approving of it, sends children who had been inoculated with this vaccine virus in his ships to various parts of his dominions, especially the Philippine Islands; from whence this vaccine matter has now, in the 4th moon of the 10th year of the reigning emperor *Kia-king*, been at length obtained in China. The English and Portuguese physicians residing on the spot have introduced the practice—some hundreds have already been inoculated, without one instance of failure.—Re-capitulation—Essential difference between the vaccine and the small pox—mode of inoculation minutely described—progressive symptoms—genuine pustule how distinguishable—mode of conveying the virus upon needles to a distance—false or spurious appearances described—regimen proper to be observed by the patient.

Written by Alexander Pearson, Esq. translated into Chinese by Sir George Thomas Staunton, Bart. and edited under the sanction of Gnewqua, Hong merchant, by the directions of James Drummond, Esq. President of the Select Committee of the British East India Company.

THE END.

I. SKELTON, PRINTER, HAVANT.

暎咭唎國公班衙命來廣統攝大班貿易事務哆咻呅敬輯

暎咭唎國公班衙命來廣醫學嘅唠敬訂

暎咭唎國世襲勇爵前乾隆五十八年隨本國使臣入京朝覲現理公班衙事務嘶嗲陳番譯與外洋會隆行商人鄭崇謙敬書

嘉慶十年六月新刊

實無患險。不過遇時行而復出矣。若真的。其痘頂平。中央一點硬的。根腳鮮紅如紅線圍纏。痘腳之外覺有紅影。痘漿如清水不轉白色如膿者便真。須於此用意分別。如遇僞痘。再取種種於別處。無不效驗者也。

凡戒口不食猪肉鷄鴨鹹物及酒更佳宜食粥飯鮮魚及瓜菜等物可也

之內。如過期斷斷不能用矣。務宜於兩月之內。早種為佳。臨種之時。於毛筒內取出象牙小簪。用煖水熏潤。先將鉄扁針刺破皮膜。然後將牙小簪上之痘種。捕入刺破皮膜處。少頃拔出。如有微血。勿被衣衫拭去。此種法或出一顆。稱為偽痘。其痘頂圓而且軟。中央無一點硬的。漿水白色。如膿。根脚不甚鮮紅。是為偽也。其痘雖偽

九日為度。恐後其漿膿漸乾。如是第十四日。或至十八日。膿焦脫退。其人永無出痘矣。一如取種之法。以鮮痘漿即時傳種更妙。可將鉄小針。向其痘相近邊傍處。刺三四小吼。俟有些漿水流出。沾在小刀尖上。即可種於別人。若離隔遠涉。難取鮮漿。可將象牙小簪沾些痘漿。俟乾了藏於鵝毛筒內。用蜜蠟封固。可能留至兩個月

大。務要最薄利者方合用。切不可直企刺入。若刀入肉裏。血出太多。將所種之痘漿攻出。恐不成功。務宜平刺皮膜。無血為妙。或血出些少。亦無妨碍。如種下四日。其形發紅。至六日起一小疱。八日其疱畧大些。頂平不尖。中央一點硬的週圍漲如清水。根脚如有紅線圍纏。覺有些疼。至九日漿已滿足。若取痘漿種於別人。務以第

或有些微寒微熱。雖服藥不服藥。與病亦無干碍想此靈妙之法。相傳於數十年之後永不防有染天花之患矣。此法始浣牛出之種種於人。後將人出之痘漿。可輪傳種於萬萬人。其種法不論春夏秋冬遇時皆合不分男女大小。以其年紀幼少者爲佳。初將外科小刀。向相近肩膊臂上不拘左右手。平刺皮膜或用鉄針如錐嘴

輯成一書傳行於世。諸名醫者。不可不留心此法也。但此牛痘種與天花痘種不同。天花之症。能傳染於人。而牛痘之症。非種不行。天花之症。定必發寒發熱。大小便結閉不通。或昏迷不醒。喉乾舌燥。唇焦亂語不等。雖用針薰藥法。亦不能保其無虞。但其牛痘種在於所種之處。只出一顆。如小指頭大至寒熱各症不能相染。內中

諭伊所屬國小呂宋亦遍行栽種其經種者果免天花之患。如此奇法。保全生靈無限。實伊國中之大幸也。茲於嘉慶十年四月內由暋嘺啞路喟船自小呂宋裝載嬰兒。傳此痘種到澳本國醫生協同澳門醫生。照法栽種。華夷童稚。不下百數俱亦保全無恙。今予等見天花之症。荼毒不淺謹將目擊屢效之法。先與醫生詳訂。繙譯

之人。隨種隨效。每自初種至第四日。始露形影及至八九日滿漿。至十四日靨脫全愈。後来相傳至大西洋。啞喃啞。啞嘆喇嗹等國。依法栽種。男女大小數百餘萬。無一損傷。無一復出。此法繼傳至大呂宋。得聞如此奇妙伊國王不惜萬金。特發一船裝載嬰兒駛至本國。傳種此痘。由船次第輪種回返。依法而行。每種必效。隨後發

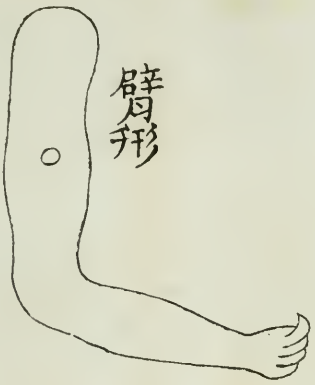
各聞爲異。適有醫生名咕嗱者國內聲名昭著。頗稱濟世良醫見遭天花之患。不可勝數。常欲明達救濟之法。隨即往視。果見揸牛乳者。不染天花之奇是以堅意細察。見牛奶及奶頭奶傍之處。有小藍疱。形類如痘。細猜牛痘。莫非能解散人痘之毒乎。隨即想法與人試種。或能減却天花之原。亦是美事於是與人種試。果經所種

前百餘年。曾有醫書種法尚未盡善盡美試其用法言之。　如遇天行時。將好痘者。用小刀取其痘漿。刺在未出痘者臂上。俟數日痘隨此出。不能盡善。以致殞命。并損害手足耳目。甚而至服藥調治者亦不知何許。今本國嘆咭唎。有蓄牛取乳者甚多。時即嘉慶元年。本國遇值天行。遍經遍户。紛紛傳說。惟蓄牛取乳者不染天花。

新訂種痘奇法詳悉

天花之症。原西邊諸國本無。前於一千一百餘年。由東邊地方傳染。遍行西域。諸國時遇天行。國中無一寧戶。雖都甸僻隅。多因慘遭其害。或損兄弟。或損兒孫。父子親眷悲切難聞。若僥倖命存。或痘癰疾於耳目手足。難以枚舉。即王侯士庶。家家戶戶。無不驚惶。都以生靈爲重。及至

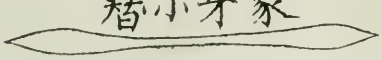
此臂形一點處
即種痘方位也



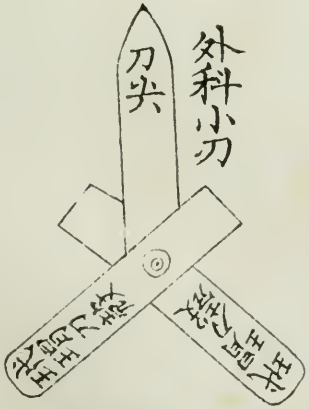
痘形

種下至第九日形
模如此便是真痘

此象牙小簪
長寸許兩頭
宜尖蓓利



此外科小刀宜尖蓓利
約長寸許外有玳瑁刀
殼兩邊夾住臨用撥開



暎咭唎國新出種痘奇書